Monday
26th November, 1956

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(Part I- Questions and Answers)

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(Part I- Questions and Answers)

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LOK SABHA

Monday, 26th November, 1956

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Advances by Scheduled Banks

†
*385. {Shri Bansal : / Pandit D. N. Tiwary :

Will the Minister of **Finance** be pleased to state :

(a) what has been the effect so far of the directions issued by the Reserve Bank of India in September, 1956 restricting advances by Scheduled Banks against wheat and other foodgrains, gram and other pulses, and cotton textiles including yarn ;

(b) the total amount of advances against wheat and other foodgrains, gram and other pulses on the eve of the imposition of the restrictions and as on the latest available date; and

(c) the total amount of advances against cotton textiles including yarn on the eve of the imposition of the restrictions and as on the latest available date?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): (a) The steps taken have had some effect on the upward trend in prices.

(b) and (c). A statement is laid on the Table of the House [*See* Appendix II, annexure No. 60.]

Shri Bansal : In the statement laid on the Table in reply to part (c) of the question, regarding textile and yarn it is metioned that advances by banks as on 31st August were Rs. 62 crores while on 26th October they were Rs. 71 crores—this, in spite of the directive that was issued to the banks. Does it not imply that at a time when the demand for textiles is normally the highest, the mills

were being artificially forced to carry huge stocks of textiles with them ?

Shri T. T. Krishnamachari : I would like the question to be more clearly put. I could not comprehend fully the import of the question.

Shri Bansal : The import of the question is that in spite of the directives issued to the banks, the advances by banks against textiles and yarn were rising. Does it not mean that at a time when normally the demand for textiles in the country is the highest, the mills were being forced artificially to carry huge stocks with them ?

Shri T. T. Krishnamachari : It is an argument, Sir. The question of restriction of credit was in a different sector than the mills, and that happens to be the wholesale trade. And the fact that prices have come down a bit and have not gone up, as we expected they would, justifies the imposition of the restriction on the trade.

So far as mills are concerned, naturally, if there is a slowing down of the off-take by the trade, the mill stocks come more or less to normal proportions, and therefore the mill stocks rise. And as against the mill stocks there has been a certain amount of increase in advances.

Shri Bansal : May I know if the directives on the banks in respect of paddy and rice and other food grains and cotton textiles have been withdrawn ?

Shri T. T. Krishnamachari : The restrictions in respect of cotton textiles still hold good. So far as paddy and rice and other food-grains are concerned, they are being withdrawn.

Shri Bansal : May I know the consideration which weighed with Government in withdrawing the restrictions against paddy and rice and wheat and other foodgrains ?

Shri T. T. Krishnamachari : The consideration really is that the busy season has practically started, and any imposition of checks of this nature on advances on foodgrains would adversely affect the primary producer.

Shri Kasliwal : May I know the percentage of reduction in advances by the banks on wheat and other foodgrains before the directive and after the directive ?

Shri T. T. Krishnamachari: I believe I have got some figures before me. I cannot work out the percentages, but so far as foodgrains are concerned, the figure in August, 1956 in respect of rice and paddy was Rs. 7,49 lakhs which came down to Rs. 4,55 lakhs on 12th October and to Rs. 4,43 lakhs on 26th October. In regard to all other foodgrains, including coarse grains and pulses, the advances were of the order of Rs. 18·45 crores in August. I have not got a break-up of the various figures, but the total figure comes to about Rs. 11·67 on the 12th October and to Rs. 9·93 crores on the 26th October. But this is not a clear indication of how the credit squeeze is operating, because it is likely that foodgrains have gone into consumption.

Shri Jhunjhunwala : Arising out of the answer that the restriction on advances against wheat and other foodgrains was withdrawn in the interests of the primary producers, may I know if it is not a fact that the advances are made not to the primary producers but to the middlemen who keep a large stock of these things and buy from the primary producers and it affects the primary producers rather ?

Shri T. T. Krishnamachari : I have not indicated in the answer anywhere that advances are being made directly to the primary producers, though it is being done through the co-operative sector. But it does happen that if the advances are choked at one side of the pyramid, the bottom is affected in due course; and that is what we wanted to safeguard against.

Shri G. D. Somani: The hon. Minister said that there has been a decline in cloth pices after the restrictions were imposed. Will the hon. Minister now be pleased to withdraw these restrictions against cloth dealers ?

Shri T. T. Krishnamachari : I am sure my honourable friend is a very acute businessman, and he knows that he cannot get an answer for a question of this nature on the floor of the House.

An Hon. Member : He will have to negotiate elsewhere.

Dr. Rama Rao : Has the hon. Minister's attention been drawn to a recent editorial in *The Hindu* which contradicts the statement made in the House that prices of rice have come down, particularly in the South? And in fact it has not. And in view of the fact that the prices are high, is it safe for the Ministry to remove the restrictions on advances ?

Shri T. T. Krishnamachari : I believe I have seen that editorial, though I am not sure if I scanned it properly. *The Hindu* is entitled to hold its own opinion and I am not in a position to dictate the manner in which they write their leading articles. It is, however, a fact that prices of paddy and rice in South India have not shown any tendency to come down.

Shri Bansal : The hon. Minister said that in view of the new season which is coming on now, the restrictions on advances against wheat and other food grains have been withdrawn. May I know if Government have satisfied themselves that this withdrawal will not have the effect of raising the prices of foodgrains in the country ?

Shri T. T. Krishnamachari : I am afraid my hon. friend knows the answer himself. Because, the question of controlling prices, or regulating them by strategic controls, has to be attacked at several fronts, and the question of credit squeeze in only one of the several methods that could be adopted. I have not made any claim at any time during these few months that I have been in charge of this portfolio that credit squeeze by itself will do the trick. It is quite likely that in certain pockets there might be a reverse trend to what we expect. But by and large, the effect that we want to occur is occurring, and we are satisfied about it.

Dr. Rama Rao : In view of the statement that prices of rice in South India have not come down, would the hon. Minister be pleased to restrict the advances on paddy on other items in South India at least ?

Shri T. T. Krishnamachari : Well Sir, I think that more or less the level of such advances has reached the position when it cannot go down—I have mentioned from figures regarding paddy advances which must indicate to my hon. friend that it is not very much; it is in the region of four crores and odd. So the question really relates to whether there are stocks and fresh stocks coming in which need advances, and when they come they would need advances. Any further restriction now would not do the trick that my hon. friend wants us to achieve, because they are being financed not mainly by money from banking sources but by money from other sources.

Some Hon. Members *rose*—

Mr. Speaker : I am going to the next question. As the Finance Minister said, this matter cannot be disposed of in a question.

Life Insurance Corporation (Divisional Officers)

Mr. Speaker : Question No. 386, Shri Gopalan.

Shri A. K. Gopalan : There is another question, No. 421, standing in my name on the same subject. I want the two questions Nos. 386 and 421 to be taken up together.

Mr. Speaker : The hon. Member desires Questions Nos. 386 and 421 to be taken up together.

The Minister of Revenue and Civil Expenditure (Shri M. C. Shah) : I have no objection to answer both of them together.

Mr. Speaker : Let us then take them up together.

386. †{**Shri A. K. Gopalan** : **Shri Bahadur Singh** :

Will the Minister of **Finance** be pleased to lay on the Table a statement showing :

(a) the qualifications and pay scales, of persons appointed as Divisional Officers of Insurance Corporation, Zone-wise.

(b) nature of posts held by them in the Insurance Companies (to be specified) before nationalisation ; and

(c) the reasons why appointments were ordered without waiting for 'Lall Committee' Report ?

The Minister of Revenue and Civil Expenditure (Shri M. C. Shah) : (a) and (b). A statement is laid on on the Table of the House. [*See* Appendix II, annexure No. 61].

(c) The Lall Committee was appointed to assist the Corporation to select officers and to grade them. The work of this Committee is still going on. Obviously it would not have been possible to get the Corporation working on 1st September, 1956 if the Corporation were to await the recommendations of the Committee.

Life Insurance Corporation

*421. **Shri A. K. Gopalan** : Will the Minister of **Finance** be pleased to state :

(a) whether it is a fact that the Northern Zone Insurance Employees' Association have submitted a memorandum to the Chairman, Life Insurance Corporation ;

(b) if so, what are their demands ; and;

(c) the decision of Government in this respect ?

The Minister of Revenue and Civil Expenditure (Shri M C. Shah) : (a) Yes, Sir.

(b) The Association's main demands are :—

(*i*) the withdrawal of the pay scales and service conditions announced;

(*ii*) the convening of a bipartite conference for the determination of service conditions ; and

(*iii*) grant of representation to the employees in the management of the Corporation at all stages.

(c) No decision was called for in respect of these demands having in view the action taken by the Corporation in the matter of scales and the assurances given in regard to the future.

Shri A. K. Gopalan : May I know whether Government got representations alleging that there were irregularities, nepotism and favouritism practised in the matter of selection and posting of top cadres in administering the Zonal Officers of the Life Insurance Corporation ?

Shri M. C. Shah : We have not received representations; we have received so many letters from Members of Parliament and we have replied to all those letters also. At the same time I may state that we have made these appointments provisional subject to the recommendations of the Lall Committee. As I said, the Lall Committee is going into these things. There are about 1200 officers and they have to be interviewed by the Committee. The Committee will take about three months to make its report. Thereafter, if anything is found to be irregular, that will be rectified.

Shri A. K. Gopalan : When the Lall Committee has been appointed, what is the purpose of saying that there were no such irregularities. I want to know why, without waiting for the report of the Lall Committee, the appointments were made. There have been complaints about irregularities now ?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari) : The answer has been given. The Lall Committee was appointed on a particular day and it could not complete its work before the Corporation started functioning. Naturally we cannot go on waiting for the Lall Committee to complete its report. My colleague mentioned that these appointments were of a provisional nature and it was decided to make these appointments and let them carry on. If it is shown that anybody has been adversely affected and the Lall Committee makes

a finding of that nature, then that finding will be examined, and what could be done in that case will have to be determined according to the circumstances then existing.

Shri Sadhan Gupta : May I know whether the Lall Committee is empowered to go into the alleged irregularities of nepotism or favouritism in appointments in the course of its investigations ?

Shri Krishnamachari : My hon. friend is a lawyer; apparently he is accustomed to put leading questions to witnesses that appear before him. We do not acknowledge that there has been any case of nepotism or favouritism. It may be that the rights of some people might have been affected. If the Lall Committee makes its report and we find that its recommendations are such as have to be looked into, we shall look into them, but I am not prepared to admit the charge that there has been any nepotism or favouritism.

Shri M. L. Dwivedi; May I know what have been the guiding factors in the selection and appointment of the officers from the former insurance companies and whether the hon. Minister is aware that there is general discontent among the people of the insurance companies that merit, experience and qualifications have not been the guiding principle for such appointments, and if so, what steps are taken to rectify these mistakes ?

Shri T. T. Krishnamachari : The guiding feature or rather guiding principle is the fitness of the particular person for the particular job. So far as complaints are concerned every individual thinks he has been adversely affected, rationalises that fact and he does make a representation. I am perfectly sure that when we are integrating 190 companies and odd and making them into one unit, there must be several hundred individuals who think that they are probably fit to be managing directors. Perhaps they are right too, but unfortunately we have only a few managing directors' posts to fill up, and that is why we appointed a Committee to go into these matters and advise us. If on the Committee's recommendations we find that some cases have got to be reopened, naturally they will be reopened.

Shrimati Maydeo : Is it a fact that class II officers have been absorbed on the 1st September and when they are working for the last three months, they do not know what pay scales they would get? If it is so, when will they start getting their regular scales, according to the Government scales ?

Shri T. T. Krishnamachari : I am afraid I should like to have notice.

Shri Joachim Alva : Who is this Shri Lall of the Lall Committee? is this Lall the same gentleman who was Assistant Secretary-General of the UNO? Does it redound to the credit of Government to bring down a retired Assistant Secretary-General of the UNO and make him the Chairman of a Committee when we have lots of officers for other Committees ?

Shri T. T. Krishnamachari : The gentleman, Mr. Lall of the very big tribe of Lalls is the particular person who has been indicated. As to why the appointment is made, I am afraid that so long as the Government have to make these appointments the discretion vests in the Government.

Shri Punnoose : May I know whether there is a Kerala Division, and Malabar is excluded from it and put along with Madras, with considerable difficulty for the agent and others who are working in Kerala ?

Shri T. T. Krishnamachari : It is a particular matter relating to a particular region. If he puts down a question, I should like to answer it.

Shri Bansal : During the last session of Parliament, you, Sir, were good enough to assure the House that some time would be allotted for discussing the whole question of the employment policy of the Life Insurance Corporation. May I know if Government are now ready to give us time for discussing this subject ?

Shri T. T. Krishnamachari : I am afraid I do not think I can add any useful information to what the Members already have on this subject.

Shri A. K. Gopalan : The Minister has said that he will not be able to give any information. But we on this sides have to make the Minister understand certain things so that he may see whether he can answer them. There are so many other things which, in a question, cannot be answered. We want to give all those facts to the Minister so that he may try if he can answer all of them. A lot of complaints have already been received by us and we want to know from the hon. Minister whether these things that are given to us in these letters, etc., are correct. There are many things, many instances, which we cannot raise or quote in a question.

Mr. Speaker : Has the Lall Committee sent its report ?

Shri T. T. Krishnamachari : Not yet.

Mr. Speaker : How long will it take?

Shri T. T. Krishnamachari : Another three months or more.

Mr. Speaker : Therefore, there is no possibility of getting it now.

Shri T. T. Krishnamachari : So far as the Lall Committee recommendations are concerned, I am not in a position to place them before the House for a discussion. So far as other matters are concerned, I would only beg to submit that although the Chair can give the time if it chooses, it should not be before the 5th December, when I am told a token strike is going to be staged. I do not want anything that is being said in this House encourage a strike of that nature.

Shri Debendra Nath Sarma : Is the Minister aware of the discontent prevailing among the insurance workers in Assam and if so what steps have been taken to remove the causes of discontentment?

Shri M. C. Shah : So far as Assam is concerned, some hon. Members of Parliament from Assam wanted to have all the posts of the branch managers and division managers to be manned by the Assamese. I would assure them that if there are any qualified persons to man those posts or to man more posts than those in Assam, we would certainly consider that question. We had already appointed one or two.

Southern Higher Technological Institute

***387. Shri T. B. Vittal Rao :** Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 319 on the 26th July, 1956 and state :

(a) whether any site has since been acquired for the location of the Southern Higher Technological Institute;

(b) if so, when the preliminary work for the construction will start; and

(c) if not, the reasons thereof?

The Deputy Minister of Education (Dr. M. M. Das) : (a) No, sir.

(b) Does not arise.

(c) The question of location of the institute is still under the consideration of the Central Government.

Shri T. B. Vittal Rao : We were told in the last session that the location of this Institute has been decided upon and that it would be located in Madras. Are we to understand that the Government is reconsidering the whole question?

Dr. M. M. Das : No, Sir. It was said that the executive committee of the All India Council for Technical Education had decided that the location of this institution should be at Madras. That decision is now under the consideration of the Central Government.

Shri T. B. Vittal Rao : In view of the fact that the establishment of this Institution has been delayed by over 2½ years, may we know when a decision will be arrived at on this question?

Dr. M. M. Das : It is not at all delayed. It has been decided by the Central Government to establish this Institution in the latter half of the Second Five Year Plan.

Shri T. B. Vittal Rao : May I know how it could start functioning from the latter half of the Second Plan unless and until the necessary land, buildings, equipment etc. are constructed?

Dr. M. M. Das : I have said that the setting up of the Institute will be taken up during the latter half of the Second Plan.

Dr. Rama Rao : The Government is taking months and months even to decide upon a place and a site for this Institute. What is the reason for the Government to take so much time? At this rate how many Second Five Year Plans do we require to put it into operation?

Dr. M. M. Das : We are not taking much time. There is yet time and there is no hurry about it.

Shri Velayudhan : He has said that there is no hurry about it now. Is it the intention not to have the Institute in the Second Plan?

Dr. M. M. Das : I have said that it is the intention of the Government to establish this particular Institute during the latter half of the next Five Year Plan.

Shri Velayudhan : Will he give us an assurance that we will have this Institute during the Second Plan ?

Mr. Speaker : While putting any question during the question hour, no assurance can be asked for. He has already said that in the second half of the Second Plan, building and other things will be undertaken. So, a decision will be taken earlier. Is it not?

Dr. M. M. Das : Government decided that there should be four such Institutes. One has already been established at Kharagpur in Bengal. Steps are being taken to establish the second in Bombay and we are getting some Russian help for this. One Institute in the South India and one in the North India will be taken up in the Second Five Year Plan. That is the decision of the Government and I have said so on more than one occasion.

Shri Veeraswamy : May I know whether it will not be helpful if this Institute is established in the beginning of the Second Plan so that the technical personnel for the implementation of the Plan in the South India can be supplied ?

Dr. M. M Das : I fully agree with the hon. Member, but we have got our own difficulties. There is a great scarcity of trained and qualified teachers and we have also to import equipments from foreign countries. There is a scarcity of all these things.

Prohibition Board for Delhi

*388. **Snri Keshavaiengar** : Will the Minister of **Home Affairs** be pleased to state :

(a) whether a board has been constituted in Delhi for promoting prohibition ;

(b) if so, the personnel of the board ; and

(c) what is its programme of action ?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) Yes.

(b) A statement showing the names of the members of the Prohibition Board is placed on the Table of the House. [*See* Appendix II, annexure No. 62].

(c) The functions of the Board are advisory in nature and it makes recommendations to Government in matters relating to prohibition and especially in regard to the methods to educate and organise public opinion against the use of intoxicating drinks and drugs.

Shri Keshavaiengar : May we know when this Board was constituted and whether it has become defunct since 1-11-1956?

Shri Datar : This Board was constituted on 30-6-1956 and has met a number of times. It will have to be reorganised in view of the reorganisation.

Shri Keshavaiengar : May we know if it is a fact, Sir, that the Government is considering the question of imposing a prohibitively heavy levy on liquor in Delhi and whether this will be considered in the case of the other big cities in India also ?

Shri Datar : Government are considering a number of suggestions.

Shri Keshavaiengar I am asking about this particular suggestion.

Shri Datar : This is one of the various suggestions which the Government are considering.

Andaman and Nicobar Islands

†

*389. **Shri S. C. Samanta** :
Shri Bhagwat Jha Azad :

Will the Minister of **Home Affairs** be pleased to refer to the reply given to the Starred Question No. 1458 on the 27th August, 1956 and state if a decision has since been taken regarding the formation of a Municipal Board in Andaman and Nicobar Islands ?

The Minister in the Ministry of Home Affairs (Shri Datar) : The Cabinet has since accorded its approval to the promulgation of the 'Andaman and Nicobar Islands (Municipal Boards) Regulation' and it will soon be published in the Gazette of India after obtaining the President's assent.

After the enforcement of the Regulation, necessary action will be taken by the Chief Commissioner for setting up a Municipal Board or Boards in the Islands as may be considered necessary.

Shri S. C. Samanta : May I know, whether, by the promulgation of these regulations, there will be only elections or elections *plus* nomination ?

Shri Datar : All this has been made clear in the regulations.

Activities of Kashmir Plebiscite Front

*390. **Shri Gidwani** : Will the Minister of **Home Affairs** be pleased to state:

(a) whether the attention of Government has been drawn to cyclostyled statements issued from the office of the Kashmir Plebiscite Front;

(b) if so, what are the facts; and

(c) whether the Government have taken any steps in the matter ?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) to (c). I have seen a number of statements purporting to have been issued by the so called Kashmir Plebiscite Front and the Hon'ble Member will specify which particular statement he is referring to, I shall be glad to supply the relevant facts. Most of these statements are full of exaggeration and untruths and the Jammu and Kashmir Government has, in various ways, issued material giving the true facts. These have also been explained on numerous occasions in public statements by the Prime Minister and the Home Minister.

Shri Gidwani : Is Government aware of the statement published in the *Hindustan Times* dated 14-9-1956, issued by the President of the socalled Kashmir Plebiscite Front, saying that the Prime Minister of India had unabashedly gone back on the pledge of plebescite and that

Pakistan was fighting for this right and was constantly demanding the early implementation of the plebiscite agreement ? May I know whether the Government has taken any action against this kind of disloyalty or treason against the Government ?

Shri Datar : Government's attention has been drawn to this statement and also to the numerous statements and resolutions passed by the Front. It is for the Jammu and Kashmir Government to take necessary action in this matter.

Shri Gidwani : May we enquire from the Government whether the Head Office of the Front is in Delhi and whether its activities are carried on in Delhi and also whether some of its associates were arrested in connection with the bomb outrage in Delhi ? How can the Jammu and Kashmir Government take any action while the people are in Delhi.

Shri Datar : Its headquarters are in Srinagar, Jammu and Kashmir. Sometimes, some of its members come here. So, I said that proper action could be taken by the Jammu and Kashmir Government which is doing so already.

Indo-Pakistan Banking Agreement

†

*391. **Shri Bahadur Singh** :
Shri Gidwani :
Shri Krishnacharya Joshi :
Shri D. C. Sharma :
Sardar Iqbal Singh :
Sardar Akarpuri :

Will the Minister of **Finance** be pleased to state :

(a) whether certain recommendations were made in September, 1956 by the Joint Implementation Committee set up under the Indo-Pakistan Banking Agreement 1955 ;

(b) whether any action has been taken on these recommendations; and

(c) the number of Indian banks which have availed of the facilities for disposal of immovable property owned by them in Pakistan and the value of such immovable property ?

The Minister of Revenue and Defence Expenditure (Shri A. C. Guha) : (a) Yes, sir, a copy of the Press Note which was issued in this connection is placed on the Table of the House. [*See* Appendix II, annexure No. 63].

(b) Most of the banks affected being Indian, the implementation of the recommendations of the Committee would depend mainly on the action taken by the Pakistan authorities with whom the matter is under correspondence. Whatever action is possible on the part of the Government of India is being taken. Government have already conveyed their approval to the Government of Pakistan in respect of those recommendations which require the approval of both the Governments.

(c) Six displaced Indian banks have so far sought assistance for the disposal of the immovable property owned by them in West Pakistan. The book value of such property as reported by them is Rs. 28·76 lakhs. No report has yet been received of the actual disposal of immovable property belonging to any of these banks.

Shri Bahadur Singh : may I know the amount collected by banks in both the countries by sale of evacuee immovable property mortgaged or changeable in favour of banks.

Shri A. C Guha : I think our estimate is on the Indian banks claims for immovable property would be nearabout Rs. 2 crores (Rs. 1,98,78,000), and for movable property a little over Rs. 1 crore. But on the Pakistan side I think the total claims would be near about Rs. 6 lakhs only.

Shri Bahadur Singh : I wanted to know whether any amount has been realised or collected by the banks ?

Shri A. C. Guha : Not yet.

Shri Bahadur Singh : What is the amount of surplus funds removed from Pakistan by the banks who have cleared their liabilities ?

Shri A. C. Guha : Nothing has been realised from that side though there is a provision that the banks which have cleared their liabilities may be allowed to remove their assets here.

Shri Krishnacharya Joshi : May I know whether any meeting was held from 19th to 21st November and is so, what are the problems that were discussed ?

Shri A. C. Guha : I do not think any such meeting has been held though it was fixed that a meeting would be held at Karachi between 19th and 21st November.

Shri Gidwani : In the Press Note it is said : "Besides reviewing the progress of implementation of the Agreed Decisions of March—April, 1955....". May I enquire what were those Agreed Decisions and whether those Agreed Decisions have been implemented by Government ?

Shri A. C. Guha : I have placed a copy of the statement from where the hon. Member will find the Agreed Decisions. It is not possible for me to give a long list of the Agreed Decisions. But, as I have already stated, some of these decisions required the approval of both the Governments. Our Government have

approved those recommendations and have written to the Pakistan Government. We wrote to them on 19th October, 1956. But as yet we have not got the approval of the Pakistan Government. We have received a reply wherein we are told that Pakistan is not ready to accept those recommendatons unconditionally.

Shri D. C. Sharma : May I know how this clause of the Agreement where it is said :

> " In the case of jewellery and other valuables pledged with banks by evacuees, it was recommended that they should be given the option to redeem the articles within a specified date ".

has worked ? What has been the net result of this ?

Shri A. C. Guha : I think the net result is more or less the same as in other cases. I do not think any bank has been able to get their jewelleries back.

Central Institute Management

†

*392. **Shri D. C. Sharma:**
Shri M. Islamuddin:

Will the Minister of **Education** be pleased to refer to the reply given to the Starred Question No. 1483 on the 27th August, 1956 and state :

(a) whether decision has now been taken about the establishment of the Central Institute of Management; and

(b) if so, the details thereof ?

The Deputy Minister of Education (Dr. M. M. Das) : (a) Not yet, sir.

(b) Does not arise.

Shri D. C. Sharma : May I know whether the establishment of the Central Institute of Management forms part of the Second Five Year Plan in the first half or the second half and if so, why it has not been decided upon ?

Dr. M. M. Das : It has been decided that this Institute will not be a cent. per cent. Central Government institution. It has also been decided that, instead of setting up a National Institute of Management, a registered society of the name Indian Management Association would be established as a joint enterprise by the Government of India and the commerce industrial concerns of this country.

Shri D. C. Sharma : May I know what further steps have been taken to establish this society to which the hon. Deputy Minister just now referred, and how long it will take to come to a final decision ?

Dr. M. M. Das : The Planning Committee, which was established to consider the details of this Institute, has recommended that it should be a registered body with its headquarters in Delhi and with its branches in different industrial and commercial centres of the country. Unless these branches are established and they co-ordinate their activities, it will be of no good to establish the headquarters of the society. These branches are coming into existence one by one.

Survey of Coal Mines

*393. **Dr. Rama Rao :** Will the Minister of **Natural Resources and Scientific Research** be pleased to state :

(a) what steps have been taken to implement the recent decision to conduct a comprehensive survey of coal mines and coal deposits in the Godavary Valley.

(b) whether Government have decided to establish a mining Research Centre at Hyderabad; and

(c) if so, the steps taken in this regard ?

The Minister of Natural Resources (Shri K. D. Malaviya) : (a) to (c). A statement giving the available information is laid on the Table of the House [*See* Appendix II, annexure No. 64].

Dr. Rama Rao : The statement says that the geological survey in Hyderabad continued upto 1955-56. It also says that the drilling work was also to be taken up but this could not be done for want of drills. May I know what happened to the drills which the hon. Minister so kindly and so long ago promised ?

Shri K. D. Malaviya : We are able to purchase a number of drills from time to time, but the impact of the programme is so much on us that we are not able to reach them to all places where the hon. Members want them.

Dr. Rama Rao : Is it not a fact that the deposits of coal in Andhra Pradesh are considered to be very extensive ? If so, may I know why more drills have not been allotted to that area uptill now ?

Shri K. D. Malaviya : I am hoping for much better reports from our Geological Survey of India. The day I will get better reports I will inform the House about it and also about the drills.

Dr. Rama Rao : The statement shows that a sum of Rs. 6 lakhs has been allotted to start a Coal Survey Station in Hyderabad. The decision in this connection was taken more than two months back. May I know what further steps have been taken to implement this decision ?

Shri K. D. Malaviya : The progres that has been indicated in the paper is all that I can say just now. More than that, in order, to clarify the issue, I might submit that the programme for investigating the chemical and physical properties of coal in that area is being tackled by the Council of Scientific and Industrial Research. They have divided the whole programme into short-term and long-term works. The short-term programme is proposed to be handled by the Coal Survey Station. As soon as periodical reports come to us, all that I can say is, I will lay them on the Table of the House.

Shri V. P. Nayar : In view of the fact that the entire South has no coal today, may I know whether the Government will give some special priority for finding out whether there is good workable coal in regions where we know there are coal deposits like the area to which my hon. friend just now referred ?

Shri K. D. Malaviya : Yes, we have taken into consideraton the picture as the hon. Member has just now drawn. That is why we are now taking steps to double the producton in the South. If there are any more informations which we can gather during the course of our detailed prospecting, surely we shall be very happy to get them, and make use of them.

Demonstration by Aligarh University Students

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*394. **Shri Krishnacharya Joshi** :
Shri Dabhi:

Will the Minister of **Education** be pleased to refer to the reply given to Part (b) of Short Notice Question No. 25 on the 13th September, 1956 and state :

(a) whether Aligarh University authorities have completed the enquiry regarding the students' demonstrations and the burning of the effigy of the Governor of U. P. in connection with the publication of the book entitled *Living Biographies of Religious Leaders*; and

(b) if so, whether any report has been submitted to Government ?

The Deputy Minister of Education (Dr. K. L. Shrimali) : (a) and (b). Yes, Sir.

Shri Krishnacharya Joshi : May I know what punishments were awarded ?

Dr. K. L. Shrimali : Six students were expelled from the University, ten students have been sent down for six weeks, eight have been sent down for four weeks, one student has been expelled, one admission to be cancelled and the student asked to leave the University at once, and one sent down for four weeks.

श्री भक्त दर्शन : क्या मैं जान सकता हूं कि क्या ये दंड केवल विद्यार्थियों को ही दिये गये हैं, जब कि आम अफ़वाह है कि वहां अध्यापकों ने भी प्रदर्शनों इत्यादि में भाग लिया था ? क्या उनके खिलाफ़ कोई कार्यवाही की गई है ?

डा० का० ला० श्रीमाली : यह अफ़वाह ग़लत है कि अध्यापकों ने उन में भाग लिया ।

डा० राम सुभग सिंह : क्या यहां के किसी उच्चाधिकारी—सेक्रेटरी या मंत्री—ने वहां जा कर इस बात की छान बीन की कि वहां के अध्यापकों ने प्रदर्शनों में भाग लिया था या नहीं ?

डा० का० ला० श्रीमाली : इसकी आवश्यकता नहीं थी । यूनिवर्सिटी के अथारिटीज़ पर गवर्नमेंट को पूरा विश्वास है और इस सम्बन्ध में जो इन्क्वायरी की गई है, वह सही है ।

श्री भक्त दर्शन : क्या गवर्नमेंट को इस बात का संतोष है कि इस सम्बन्ध में जो कार्यवाही की गई है, वह पर्याप्त है ?

डा० का० ला० श्रीमाली : जी हां ।

अध्यक्ष महोदय : किसी को संतोष नहीं है ।

Expert Museums Survey Committee

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*395. **Shri S. C. Samanta:**
Shri Bhagwat Jha Azad :
Shri R. P. Garg :
Shri Bhakt Darshan :

Will the Minister of **Education** be pleased to state :

(a) whether the Expert Museums Survey Committee appointed by Government have submitted their report ;

(b) if so, the main recommendations thereof ;

(c) whether the report has been considered by Government ; and

(d) if so, the recommendations that have been taken up so far for implementation ?

The Deputy Minister of Education (Dr. M. M. Das) : (a) Yes, Sir.

(b) A copy of the recommendations of the Expert Museum Survey Committee as approved by the Central Advisory Board of Museums is available in the Parliament Library.

(c) and (d). The matter is under consideration.

Shri S. C. Samanta : May I know whether some mismanagement and wrongs have been pointed out by this Committee?

Dr. M. M. Das: This Expert Museums Survey Committee inspected all practically all the important museums of the country. Some of these museums are in the hands of private bodies, some belong to the State Governments and some belong to the Central Government. So far as my knowledge goes, we have not received any such complaints.

Shri S. C. Samanta : May I know whether this Committee has suggested the establishment of an all-India co-ordinating body to look after all the museums in India ?

Dr. M. M. Das : I have said that a copy of the recommendations of the Committee is available in the Parliament Library.

The hon. Member may consult that copy.

श्री भक्त दर्शन : क्या मैं जान सकता हूं कि देर से देर कब तक इस बारे में अन्तिम निर्णय हो जायेगा ?

Dr. M. M. Das : We have sent copies of these recommendations, as approved by the Central Advisory Board of Museums, to the curators of the different museums and to the State Governments for their views and implementaton also. As soon as we obtain the views of the State Governments regarding these recommendations, we will formulate our own proposals.

Student Unions in Travancore University

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*396. **Shri V. P. Nayar :**
Shri Punnoose:

Will the Minister of **Education** be pleased to state :

(a) whether it is a fact that in several colleges affiliated to the Travancore University the students are not allowed to form college unions ; and

(b) the action, if any, Government propose to take in this direction ?

The Deputy Minister of Education (Dr. K. L. Shrimali): (a) and (b). Student associations in one form or other exist in all the Colleges under the University of Travancore, and in no College have students been denied opportunities for forming their own associations. They do not, however, all take the form of "College Unions".

Shri V. P. Nayar : May I know whether the Government are aware that for the past several years, in many colleges where the college unions are not allowed to function, the students have been agitating to have a union established ?

Dr. K. L. Shrimali : Sometime back the University of Travancore decided that it is better to have class associations and subject associations rather than college unions, and most of the colleges are having subject associations and class associations. It is true that in many of the colleges, college unions are not functioning, and we are advising the Government of Kerala to advise the university to encourage college unions.

Shri V. P. Nayar : Are the Government aware that because the students' unions protested against the compulsory levy of donations in certain colleges run by communal organisations, such colleges have not been permitting their students to form themselves into unions?

Dr. K. L. Shrimali : I am not aware of this compulsory donation. I will enquire into it, as to whether that has been the reason for college unions not functioning. As I said, we have already advised the State Government to advise the university to encourage college unions.

Shri V. P. Nayar : May I know what steps Government have taken to implement the recommendation of the University Education Commission about the establishment of college unions and students' participation, in respect of colleges in Travancore-Cochin?

Dr. K. L. Shrimali : I have already assured the hon. Member that the Government are advising the university to encourage college unions.

Shri Velayudhan : May I know whether the Vice Chancellor has sent a circular to all the colleges not to recognise the students' unions in the Colleges?

Dr. K. L. Shrimali : The Travancore University passed a resolution sometime back that it was better to have subject associations and class associations rather than college unions.

Shri Punnoose : Is it the view of the Government that class associations and subject associations can replace the college unions where all students can have a right to come in and discuss things?

Mr. Speaker: He has already answered that they have advised the local Government in the matter.

Shri Punnoose: May I know whether the Government is prepared to say that unions should be encouraged, so that the colleges might enjoy the grants and other help from the Government?

Mr. Speaker: That is the same question in another form. The Minister has already answered that he has advised the local Government. Next question.

Shri Mathew: May I know whether it is a fact that in some of the colleges, the college unions are misused for organising strikes, forcible picketing, disruption of studies and defiance of the established authority of the Principal and other members of the staff?

Dr. K. L. Shrimali: That is also true. In fact, many of the college unions acted in a very irresponsible way and they tried to run a sort of parallel Government which was most undesirable.

Shri Punnoose: Are the Government aware that such things happen because some of the professors are inefficient and also they are misleading the students?

Mr. Speaker: Order, order. The hon. Minister need not answer any question which is put after I call another question.

Beggars

*397. **Shri Hem Raj:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is proposed to have a countrywide survey of the beggars in India;

(b) whether any survey has been taken of the beggars in any State or city; and

(c) if so, the result thereof?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) No.

(b) and (c). Information is being collected and will be laid on the Table of the House when received.

I may also add that the figures about beggars and vagrants have been given in the 1951 Census.

Shri Hem Raj: May I know whether, in view of the fact that beggars are a menace to the society and they are draining the wealth of the country, the Government will take measures to give them some gainful employment?

Shri Datar: This is a question for the State Governments to handle. I may inform the hon. Member that the number of beggars has been decreasing.

Lala Achint Ram: Have the Government started any homes for the incapacitated beggars so far?

Shri Datar: I believe that there are such institutions in some of the States. But I cannot give him any information off-hand.

Shrimati Sushama Sen: May I know whether the Government are aware that there are leper of beggars roaming about in the streets of the capital of India and may I also know what steps are the Government taking to eliminate them?

Shri Datar: There are such beggars, and in proper cases, the Health Department of the State Governments takes steps to segregate them.

श्रीमति कमलेन्दुमति शाह: क्या सरकार को ज्ञात है कि केन्द्रीय सरकार ने वैगर्ज के घर बनाने के लिए जहां जहां रुपए दिए हैं, वहां की स्थानीय सरकारें उन को बनाने के विषय में बहुत ढील कर रही हैं, जैसे ऋषिकेश में ?

Shri Datar: I may point out to the hon. Member that there is a Poor House in Delhi.

Dr. Ram Subhag Singh: The hon. Minister said that this is a State subject and that the Health Departments will take care of them. May I know what is the position in the Union Territory of Delhi? Have the beggars been segregated or not?

Shri Datar: For that purpose, I am calling for the information, and I shall place it on the Table of the House, when obtained.

Currency Paper Mill

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*398. **Shri Ram Krishan:**
Shri Kamath:

Will the Minister of **Finance** be pleased to refer to the reply given to Unstarred Question No. 241 on the 28th July, 1956 and state at what stage the question of setting up a currency paper manufacturing mill is at present?

The Minister of Revenue and Defence Expenditure (Shri A. C. Guha): The matter is still under consideration.

Shri Ram Krishan: May I know by what time this matter will be finalised?

Shri A. C. Guha: It is very difficult to say because we have to consider so many things before a decision is taken on the establishment of a factory of this nature which is of a technical character.

Demarcation of Boundaries

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*399. { **Shri Veeraswamy :**
Shri K. S. Rao :

Will the Minister of **Home Affairs** be pleased to state :

(a) whether it is a fact that both Andhra Pradesh and Madras Governments have requested the Government of India to appoint a boundary Commission to settle the border disputes ; and

(b) if so, the steps Government propose to take to settle the disputes?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) Yes.

(b) The policy of the Government of India is that, except where the parties concerned settle a border dispute by agreement, such disputes should be dealt with by the appropriate Zonal Council or Councils concerned.

Shri Veeraswamy : May I know whether the Government is aware of the State-wide agitation in Madras State launched by the Tamil Arasu Kazhagam in October last, demanding the setting up of a boundary commission, as promised by the Prime Minister of India to the people of Madras and if so, why that demand has not yet been conceded ?

Shri Datar : May I point out to the hon. Member that here are such demands, but ultimately, the policy of the Government of India has been stated in the answer that I have given ?

Shri Veeraswamy : Is it not a fact that the Prime Minister has given an assurance to the people of Tamil Nad that a boundary commission will be appointed to settle the dispute between Madras and Andhra ?

Shri Datar: When the Andhra Bill was under consideration, this question was raised and it was stated that if the parties did not come to a conclusion so far as the border disputes were concerned, then the Government would consider the matter.

Shri Thanu Pillai: Is it a fact that the boundary question between Andhra and Madras was not considered during the debates on the States Re-organisation Bill in view of the assurance given by the Government of India that it would be considered separately? How does this decision that the zonal council will consider that question affect that assurance?

Shri Datar : Under the States Reorganisation Act, the zonal councils have been appointed. It is up to the zonal councils to consider all border disputes. That is why I have stated that so far as this dispute between Madras and Andhra is concerned, it might as well be considered by the zonal council.

Retrenched Defence Employees

*400. **Dr. Ram Subhag Singh :** Will the Minister of **Defence** be pleased to state :

(a) whether it is a fact that the retrenched employees of the Ammunition Factory, Kirkee did not turn up before the Railway Recruiting team when that team visited Kirkee ; and

(b) if so the causes therefor?

The Minister of Defence Organisation (Shri Tyagi) : (a) and (b). Yes. On account of a strike resorted to by a number of workers of the factory, and due to intensive picketing by the strikers, no retrenched employees could appear before the Railway Recruiting Team for 8 days beginning from 21st September, 1956. Nevertheless, the Railway Recruiting Team has been able to offer alternative employment to 809 retrenched employees of the Ammunition Factory, Kirkee.

हिन्दू धार्मिक संस्थायें

*४०१. **श्री भक्त दर्शन** : क्या **वित्त** मंत्री ६ अगस्त, १९५६ के तारांकित प्रश्न संख्या ७६४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि हिन्दू धार्मिक संस्थाओं व मठ-मन्दिरों की आय का उचित उपयोग करने और उनका विकास करन के जिस प्रश्न पर विचार किया जा रहा था, उसके बारे में अन्तिम निर्णय करने की दिशा में इस बीच क्या प्रगति हुई है ?

राजस्व और असैनिक व्यय मंत्री (श्री म० चा० शाह) : इस मामले पर अभी विचार किय जा रहा है ।

श्री भक्त दर्शन : क्या यह सत्य नहीं है कि इस मामले पर बहुत लम्बे अर्से में विचार हो रहा है ? क्या कारण है कि इसमें इतनी देरी हो रही है ?

Shri M. C. Shah: All the States have to be consulted and then, they have to look to the legal side also. A working committee has been appointed to go into all these questions. They have to consult the Law Ministry and there are many complicated points raised. All those points are being dealt with.

श्री भक्त दर्शन : क्या गवर्नमेंट के ध्यान में यह बात आई है कि बहुत सी राज्य

सरकारों ने, जैसे कि उत्तर प्रदेश ने, बद्रीनाथ टेम्पिल या इसी तरह की बहुत सी हिन्दू धार्मिक संस्थाओं के लिये पहले से कानून बनाय हुये हैं ? क्या यह जो सारे देश के लिये कानून बनेगा इससे यह कानून समाप्त हो जायेंगे या उन्हीं के आधार पर एक नया कानून बनाया जा रहा है ?

Shri M. C. Shah : The States will be consulted and then there will be uniform legislation for the whole country.

श्री भक्त दर्शन : क्या मैं जान सकता हूं कि यह जो सुधार किया जाने वाला है इसका मुख्य उद्देश्य क्या है ? इन मन्दिरों की जो सरप्लस आय होगी उसे देश के विकास कार्यों में व्यय किया जायेगा या मन्दिरों का प्रबन्ध भी सुधारा जायेगा ?

Shri M. C. Shah : To control and supervise all those funds and to see that they are channelled into useful purposes.

पौंड-पावना

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*४०२. { **श्री हेम राज** :
श्री विभूति मिश्र :
श्रीमती तारकेश्वरी सिन्हा :

क्या **वित्त** मंत्री ११ सितम्बर, १९५६ के तारांकित प्रश्न संख्या २०१२ और २०१३ के उत्तरों के सम्बन्ध में यह बताने की कृपा करेंगे कि पौंड-पावने की कमी को पूरा करन के लिय सरकार द्वारा तब से क्या कार्यवाही की गई है अथवा की जा रही है?

वित्त तथा लोहा और इस्पात मंत्री (श्री ति० त० कृष्णमाचारी) : इस मामले पर विचार किया जा रहा है ।

Shri Kasliwal: Is it certain that there are reports appearing in the Press that there is a precipitous fall in our Sterling Balances. May I know whether that is also under consideration?

Shri T. T. Krishnamachari : In fact, as the hon. Member said, there has been a fall. We can explain this fall ; but, nevertheless, in view of the fact that we have a Plan which demands the utilisation of a fairly large amount of foreign exchange which is now practically unprovided, for, the whole matter is being reviewed.

Shri K. P. Tripathi: May I know whether this fall is due to the import of consumer goods or capital goods or due to any other special reason?

Shri T. T. Krishnamachari : I can say definitely that no part of the fall is due to the import of consumer goods.

Import of Goods in Tripura

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*404. { **Shri Biren Dutt :**
Shri Dasaratha Deb :

Will the Minister of **Home Affairs** be pleased to state :

(a) the difficulties that the traders of Tripura feel in importing goods from Calcutta and the Indian territories through East Pakistan ;

(b) what steps have been taken by Government of Tripura to remove these difficulties ; and

(c) whether such difficulties have caused sharp rise in the price of all essential commodities in Tripura ?

The Minister in the Ministry of Home Affairs Shri Datar : (a) and (b). Difficulties were caused by the refusal of East Pakistan Railways to accept goods for Akhaura at first and then rebasing an inadequate number of wagons over the Pakistan Railways. These difficulties have been brought to the notice of the East Pakistan Government who have agreed to release 10 wagons per day. They are also being pressed to allot more wagons for movements of rice and other essential commodities to Tripura.

(c) Only at the time of Puja Festival there was a temporary rise in prices which was kept under control by air-lifting adequate supplies of essential goods.

Shri Biren Dutt : May I know whether any cheap price shops have been opened for the supply of essential goods by the Government of Tripura ?

Shri Datar : A few fair price shops have been opened there.

गांधी-दर्शन

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*४०६. { **श्री खू० चं० सोधिया :**
श्री मूलन सिंह :
श्री विभूति :

क्या **शिक्षा** मंत्री यह बताने की कृपा करेंगे कि :

(क) गांधी-दर्शन और विचारधारा को स्कूलों और विश्वविद्यालयों के पाठ्यक्रम में सम्मिलित करन के अभिप्राय से जो उपसमिति नियुक्त की गई थी उसकी मुख्य मुख्य सिफारिशें क्या थीं ; और

(ख) इन सिफारिशों को कार्यान्वित करने के लिये सरकार द्वारा क्या कार्यवाही की जा रही है ?

शिक्षा उप-मंत्री (डा० का० ला० श्रीमाली) : (क) और (ख). एक विवरण सभा पटल पर रख दिया गया है । **[देखिये परिशिष्ट २, अनुबन्ध संख्या ६५].**

श्री खू० चं० सोधिया : इस विवरण में जो १५ बातें दी गई हैं उन में से किसी एक के भी खत्म होनें की बात नहीं है । मैं पूछना चाहता हूं कि सरकार गांधी जी के साहित्य को स्कूलों और कालेजों में कब रख सकेगी ?

डा० का० ला० श्रीमाली : इसके मुताल्लिक कहना यह है कि गवर्नमेंट ने एक कमेटी बिठाई थी और उस कमेटी ने इन सारे मामलों पर विचार करने के लिये एक सब-कमेटी बिठाई थी । चूंकि यह बहुत ही महत्वपूर्ण प्रश्न है इसलिये गवर्नमेंट सब-कमेटी की सिफारिशों पर जल्दी ही कार्यवाही कर रही है । अब शीघ्र ही जनरल कमेटी की मीटिंग बुलाई जायेगी और जो सिफारिशें की गई हैं उन पर विचार किया जायेगा और अमल किया जायेगा ।

श्री ख० चं० सोधिया : इसमें कुल कितना समय लग जायेगा ?

डा० का० ला० श्रीमाली : बहुत सारे ऐसे प्रश्न थे जिस पर सब-कमेटी को विचार करना था । अब उसकी सिफारिशें आ गई हैं । मैं विश्वास दिलाना चाहता हूं कि जनरल मीटिंग जल्दी ही बुलाई जायेगी ।

Shri Raghavaiah : May I know whether the study of *Bhagwad Gita* is part of the study of Gandhian philosophy? If so, how does it keep with the secular outlook of our State ?

Dr. K. L. Shrimali : This has nothing to do with the study of *Bhagwad Gita*. This committee was appointed to examine the question of introducing the Gandhian teachings in educational institutions.

Shri Kasliwal : In 1953, the Gandhi Seminar for the relaxation of world tension took place in India and subsequently we were told that there was a possibility of holding another seminar somewhere in Europe. May I know whether the Government have now turned their attention to the holding of such a seminar anywhere in Europe ?

Dr. K. L. Shrimali: This is a different question ; I need notice to answer this question.

WRITTEN ANSWERS TO QUESTIONS

Gifts of Books

***405. Shri R. P. Garg :** Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 1460 on the 27th August, 1956, and state the names of the countries that have given gifts of books so far to Government ?

The Deputy Minister of Education (Dr. M. M. Das) : According to the information available, East Germany, Australia, United States of America, United Kingdom and Argentine have sent books as gifts.

Canteen Stores Department

***407. Shri U. M. Trivedi :** Will the Minister of **Defence** be pleased to state :

(a) whether any statutory recognition has been given to the Canteen Stores Department of the Defence Services ;

(b) the amount of income-tax recovered from this Department on profits made by it ; and

(c) when the recovery was affected ?

The Deputy Minister of Defence (Sardar Majithia) : (a) No.

(b) Nil.

(c) Does not arise.

Judiciary in Tripura

***408. Shri Biren Dutt :** Will the Minister of **Home Affairs** be pleased to state :

(a) whether any representation has been received by the Government of India from the Bar Association of Agartala, Tripura;

(b) if so, whether Government are considering to continue the judicial commissioners court at Agartala; and

(c) whether Government are considering to convert that one-man court into three-men court?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) Yes.

(b) There is no proposal to abolish the Judicial Commissioner's court at Agartala, which will continue to function as before.

(c) No.

Recruitment to All India Services

*409. **Shri Kamath :**
Shri Shivananjappa :

Will the Minister of **Home Affairs** be pleased to state :

(a) whether Government propose to implement the recommendation of the States Reorganization Commission to the effect that not less than fifty per cent. of the new entrants in All India Services in each State should be from outside that State; and

(b) if so, the progress so far made in that direction?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) and (b).The principle of 50% outsiders is already being followed, as far as practicable, in making allotment of Indian Administrative Service officers to various State Cadres on the basis of Competetive Examination. The recommendation made by the States Reorganisation Commission as regards recruitment of at least fifty per cent. of the new entrants to the Indian Police Service from outside a State can be implemented only after a general or special order contemplated under rule 8 of the Indian Police Service (Recruitment) Rules, 1954, is issued. The question of issue of such an order is being taken up with the State Governments.

Utkal University Scheme

*410. **Shri Sanganna** : Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 1599 on the 31st August, 1956 and state:

(a) whether the visiting Commission has examined the scheme of the Utkal University and submitted the report; and

(b) if so, the result thereof?

The Deputy Minister of Education (Dr. M. M. Das) : (a) Not yet.

(b) Does not arise.

Small Savings

*411. **Shri M. Islamuddin :**
Shri Krishnacharya Joshi:

Will the Minister of **Finance** be pleased to state :

(a) the various steps that are being taken to intensify small savings for National Development in the Country;

(b) whether there is a proposal to introduce "Internal Agency Scheme" in factories to encourage Small Savings; and

(c) if so, the details thereof?

The Minister of Revenue and Defence Expenditure (Shri A. C. Guha) : (a) The campaign for popularising the small savings movement is a continuous process. Amongst the important steps taken recently to intensify the movement are the formation of Central and State Advisory Committees, expansion of the National Savings Organisation, introduction of new types of investments and ex ension of the Authorised Agency Scheme.

(b) Yes, sir.

(c) A statement is placed on the Table of Lok Sabha. [*See* Appendix II, annexure No. 66].

Diamond Industry

*412. **Sardar Iqbal Singh :**
Sardar Akarpuri :

Will the Minister of **Natural Resources and Scientific Research** be pleased to state :

(a) whether there is any proposal to set up a Statutory Autonomous Corporation for the development of Diamond Industry; and

(b) if so, details thereof?

The Minister of Natural Resources (Shri K. D. Malaviya) : (a) Yes, Sir.

(b) The matter is still under examination.

Recruitment to All India Services

*413. **Shri Shivananjappa :** Will the Minister of **Home Affairs** be pleased to state :

(a) whether it is a fact that Government of India are considering a change to be made in the method followed by the Union Public Service Commission in the recruitment of I.A.S., I.F.S., and I. P. S. personnel;

(b) if so, whether it is also a fact that the specific issue under consideration is whether the *viva voce* test should be a deciding factor in the selection of candidates; and

(c) if so, the reasons thereof?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) and (b). The question whether the minimum qualifying marks should continue to be prescribed for the *viva voce* test, as at present, is one of the matters at present

under consideration, in consultation with the Union Public Service Commission.

(c) On certain representations being received that some candidates who had obtained good marks in the written papers, had been disqualified for failure to obtain qualifying marks at the *viva voce* test, the Home Minister stated, in his speech in the Budget Session of the House, that this matter was worth considering. It is being considered accordingly.

India Office Library

*415. **Shri Gadilingana Gowd :** Will the Minister of **Education** be pleased to refer to reply to Starred Question No. 1026 on 13th August, 1956 and state further progress made in arriving at a settlement with the British Government about the India Office Library in London?

The Deputy Minister of Education (Dr. K. L.Shrimali) : None, Sir.

Oil in West Bengal

*416. **Shri K. K. Basu :**
Shri Bansal :

Will the Minister of **Natural Resources and Scientific Research** be pleased to state :

(a) when the commercial exploration of oil found in West Bengal is going to start; and

(b) the agencies through which such exploration will be conducted?

The Minister of Natural Resources (Shri K. D. Malaviya) : (a) and (b). The Indo-Stanvac Petroleum Project, a joint venture of the Government of India and the Standard Vacuum Oil Company, is already conducting commercial exploration for oil in a specified area in West Bengal.

Pay Scales of University Teachers

*417. **Shri Matthen :** Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 1270 on 22nd of August, 1956 and state :

(a) whether the Kerala Government have since been able to implement the revised pay scales of the University teachers; and

(b) if no, the reasons for the delay?

The Deputy Minister of Education (Dr. M. M. Das) : (a) No, Sir.

(b) The proposal has immediate repercussion on all Government services, as maximum pay of Heads of Departments in the State is only Rs. 1000/-. The matter, therefore, needs careful consideration in all its aspects and the overall financial effect of the proposals is being studied.

दिल्ली के अध्यापकों का वेतन-क्रम

*४१८. **श्री दिगम्बर सिंह** : क्या **शिक्षा** मंत्री ३१ अगस्त, १९५६ के तारांकित प्रश्न संख्या १६०५ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि दिल्ली के सरकारी स्कूलों के अध्यापकों के वेतन-क्रम का पुनरीक्षण करने की सिफारिशों को कार्यान्वित करने में अब तक कितनी प्रगति हुई है ?

शिक्षा उपमंत्री (डा० का० ला० श्रीमाली) : संशोधित वेतन मान देने के लिये सभी सरकारी स्कूलों को आज्ञायें पहले ही जारी की जा चुकी हैं ।

Money Markets

*419. **Shri G. D. Somani :** Will the Minister of **Finance** be pleased to state:

(a) whether the attention of Government has been drawn to the conditions of acute financial stringency prevailing in the money markets on the eve of the busy season; and

(b) if so, the steps that are proposed to be taken by Government to ease the difficult situation?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari) : (a) Yes.

(b) This is a matter of day-to-day monetary management on which it is not possible to make a statement in advance.

Zonal Mineral Advisory Boards

*420. **Shri T. B. Vittal Rao :** Will the Minister of **Natural Resources and Scientific Research** be pleased to state:

(a) whether the Government have accepted the recommendation of Mineral Advisory Board to set up Zonal Advisory Boards at Ajmer, Calcutta, Nagpur and Bangalore for reviewing periodically the programme of exploration and mining of minerals in their respective Zones;

(b) if so, when the same will be set up; and

(c) the jurisdiction of each Zonal Board?

The Minister of Natural Resources (Shri K. D. Malaviya) : (a) Yes, Sir.

(b) and (c). It is intended to set up four zonal councils for the Northern, Eastern, Central and southern zones covering the whole country. The nominations are being finalised and an announcement will be made shortly so that the Councils can begin functioning in the new year.

Jet Fighters and Bombers

*422. **Shri Bhagwat Jha Azad:**
Shri T. B. Vittal Rao :
Shri Ram Krishan :
Shri D. C. Sharma :
Dr. Ram Subhag Singh
Shri Bibhuti Mishra :

Will the Minister of **Defence** be pleased to state :

(a) whether any agreement has been signed with British firms for the purchase of Jet Fighters and Bombers;

(b) if so, the number of such fighters and bombers; and

(c) whether efforts are being made to manufacture the same type of jets in the Hindustan Aircraft Limited?

The Minister of Defence Organisation (Shri Tyagi) : (a) to (c). An agreement has been entered into with a British firm for the manufacture, under licence, of the 'Gnat' Fighter aircraft at Hindustan Aircraft Limited. Initially, a certain number of aircraft of this type will be purchased outright from that firm. It will not, however, be in the public interest to disclose the number.

All India Industrial Management Service

*423. **Shri Gidwani :**
Shri Bhagwat Jha Azad:
Shri Bahadur Singh :
Shri Krishnacharya Joshi:
Shrimati Tarkeshwari Sinha :
Shri Ram Krishan :

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 332 on the 26th July, 1956 and state;

(a) the number of persons who will be recruited to the All India Service for manning industrial undertakings owned or managed by the State:

(b) what will be their qualifications;

(c) how will they be selected; and

(d) what will be their salaries?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a), (b) and (d). The scheme is still under consideration. Information on these. points will be furnished as soon as a final decision is taken.

(c) Recruitment will be made through the U.P.S.C.

Survey of Blind Population

*424. **Shri D. C. Sharma :**
Sardar Iqbal Singh :
Sardar Akarpuri :

Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 823 on the 22nd August, 1956 and state :

(a) the further progress made so far with regard to the proposed sample survey of the blind population in the country; and

(b) the details thereof?

The Deputy Minister of Education (Dr. M. M. Das) : (a) and (b). The Expert Committee appointed to draw up the questionnaires has finished its work. Steps are being taken to carry out the survey in select areas.

Currency Note Press, Nasik

*425. **Shri Krishnacharya Joshi :** Will the Minister of **Finance** be pleased to state :

(a) whether currency note Press at Nasik printed currency notes for foreign countries during 1955-56; and

(b) if so, how many foreign countries placed such orders?

The Minister of Revenue and Defence Expenditure (Shri A. C. Guha): (a) No, sir.

(b) Does not arise.

Insurance Corporation Employees' Wages

*426. **Shri Bansal :**
Dr. Ram Subhag Singh :

Will the Minister of **Finance** be pleased to state :

(a) whether it is a fact that the wage bill of the Insurance Corporation is likely to go up substantially as compared to the total wage bill paid by the insurance companies before rationalisation; and

(b) if so, the additional amount involved from the date of nationalisation ?

The Minister of Revenue and Civil Expenditure (Shri M. C. Shah) : (a) Yes, Sir, as far as we can now see.

(b) The exact additional cost will be known only after the employees have been fitted into the new scales of pay.

Kolar Gold Mines

*427. **Dr. Ram Subhag Singh :**
Shri Sadhan Gupta :

Will the Minister of **Natural Resources and Scientific Research** be pleased to state :

(a) whether it is a fact that the Kolar Gold Mines in Mysore have been nationalized; and

(b) if so, what compensation has been agreed to be given to the shareholders of the Kolar Gold Mines?

The Minister of Natural Resources (Shri K. D. Malaviya) : (a) Yes, Sir.

(b) Rs. 164 lakhs.

अफ़ीम

*४२८. **श्री ख० चं० सोधिया :**
श्री विभूति मिश्र :

क्या **वित्त** मंत्री यह बताने की कृपा करेंगे कि :

(क) अफ़ीम के अवैध व्यापार की रोक-थाम के लिये केन्द्रीय सरकार ने अब तक किन-किन राज्य सरकारों से परामर्श किया है और इस व्यापार का अन्त करने के लिये सरकार कौन-कौन से नये उपाय काम में ला रही है ;

(ख) अफ़ीम तथा अन्य नशीली जड़ी-बूटियों के अवैध व्यापार को आंकने के लिये क्या सरकार ने कभी कोई जांच कराई है ; और

(ग) यदि हां, तो इस प्रकार के व्यापार का अनुमित वार्षिक मूल्य कितना है और किन-किन क्षेत्रों में यह व्यापार चल रहा है ?

राजस्व और प्रतिरक्षा व्यय मंत्री (श्री अ० चं० गुह) : (क) पेप्सू और पंजाब में अफ़ीम के अवैध व्यापार की रोकथाम के लिये १९५५ और १९५६ में इन राज्यों की सरकारों से बातचीत की गई थी । सितम्बर, १९५६ में एक सम्मेलन भी किया गया जिसमें और बातों के साथ साथ इस के उपायों पर भी विचार किया गया । इस सम्मेलन में १७ राज्यों की सरकारों ने भाग लिया । सम्मेलन म अफ़ीम की खेती, लाइसेंस प्राप्त व्यापारियों के द्वारा उसकी बिक्री और चोरी छिपे अफ़ीम ले जाने वाले संदिग्ध व्यक्तियों को पकड़ने से सम्बन्ध रोकथाम के उपायों को और कड़ा करने के बारे में कई निर्णय किये गये ।

(ख) इस सम्बन्ध में विशेष रूप से कोई जांच नहीं कराई गई । इस समय भारत सरकार के मादक-द्रव्य आयुक्त (नारकाटिक्स कमिश्नर) और राज्य सरकारों के इस मामले से सम्बन्ध रखने वाले विभिन्न विभाग इस सम्बन्ध में सतर्क हैं और जो भी समस्यायें पैदा होती हैं उनके बारे में उचित कार्यवाही करते हैं ।

(ग) ठीक-ठीक अनुमान संभव नहीं है और इसके कारण भी स्पष्ट हैं । फिर भी सभा की मेज पर एक विवरण रख दिया गया है जिसमें बताया गया है कि १९५५ और उससे पहले के दो वर्षों में कितनी-कितनी मात्रा में औषधियां पकड़ी गयीं । **[देखिये परिशिष्ट २, अनुबन्ध संख्या ६७]**

N. C. C.

*429. **Shri Bibhuti Mishra** : Will the Minister of **Defence** be pleased to state :

(a) the total number of institutions in each State imparting training to N. C. C. Cadets and the respective number of Cadets in each State; and

(b) how far Government aid and assistance are available to them?

The Minister of Defence Organisation (Shri Tyagi) : (a) A statement is laid on the Table of the House. [*See* Appendix II, Annexure No. 68].

(b) The expenditure on the raising and running of N. C. C. units is as a rule borne entirely by the State and Central Governments. In the case of a few schools which want N. C. C. units and have not otherwise been allotted any, necessary number of units is allotted if they agree to bear the States' share of the expenditure.

Books on Modern Ideas

*430. { Sardar Iqbal Singh : Sardar Akarpuri :

Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 1737 on the 4th September, 1956 and state :

(a) whether the required information regarding the scheme for making books on modern ideas available at cheap rates to poor agriculturists and labourers has now been collected; and

(b) if so, the broad outlines thereof?

The Deputy Minister of Education (Dr. M. M. Das): (a) and (b). According to the information collected from the various Ministries of the Government, there is no proposal to formulate a scheme for making books on modern ideas available at cheap rates to poor agriculturists and labourers in particular. The Ministries of Agriculture and Health, however, produced literature to disseminate information in their respective fields and make them available either free or at cheap rates to all interested persons.

Mineral Survey of Kerala

*431. **Shri V. P. Nayar** : Will the Minister of **Natural Resources and Scientific Research** be pleased to state :

(a) whether the Government of India will undertake in the near future a comprehensive Mineral Survey of the Kerala State;

(b) if so, the date on which the survey is proposed to be begun; and

(c) the number of technical personnel proposed to be employed for survey?

The Minister of Natural Resources (Shri K. D. Malaviya) : (a) and (b). Yes, Sir. A list of the investigations proposed to be carried out by the Geological Survey of India during the winter season 1956-57, commencing 1st November, is laid on the Table of the House. [*See* Appendix II, annexure No. 69].

(c) Twenty. The personnel will be increased later if, necessary.

Small Savings

*432. **Shri Krishnacharya Joshi:** Will the Minister of **Finance** be pleased to state :

(a) the total amount collected towards Small Savings Scheme investment during 1955-56; and

(b) the total amount collected towards the Ten Year National Plan Certificates during the same period?

The Minister of Revenue and Defence Expenditure (Shri A. C. Guha) : (a) Rs. 67·93 crores (net).

(b) Rs. 9 crores (net).

Oil in Punjab

*433. **Shri D. C. Sharma** : Will the Minister of **Natural Resources and Scientific Research** be pleased to state :

(a) whether the team of foreign oil experts who carried out aeromagnetic survey of the Punjab has submitted its report; and

(b) if so, what are the possibilities of oil deposits there?

The Minister of Natural Resources (Shri K. D. Malaviya) : (a) and (b). The Report is still awaited.

Auxiliary Cadet Corps

*434. **Dr. Ram Subhag Singh:** Will the Minister of **Defence** be pleased to state :

(a) whether there is any proposal to extend the activities of the Auxiliary Cadet Corps to all State including Jammu and Kashmir;

(b) how many A. C. C. Training Centres are porposed to be opened in Jammu and Kashmir during 1956-57; and

(c) the total target of trainees for all States during 1956-57?

The Minister of Defence Organisation (Shri Tyagi) : (a) Yes.

(b) One training camp for teachers was held during October 1956. The trained teachers will impart training to A. C. C. Cadets in their respective Schools.

(c) 9,00,000 Cadets.

Cantonment Boards

*435. { Sardar Iqbal Singh : Sardar Akarpuri :

Will the Minister of **Defence** be pleased to state :

(a) whether it is a fact that development schemes have been called for from different Cantonment Boards for inclusion in the Second Five Year Plan;

(b) if so, whether the Cantonment Boards of Ferozepore, Jullundur and Ambala have also sent their proposals; and

(c) if so, whether a statement giving details of the schemes and the decisions taken thereon be laid on the Table?

The Deputy Minister of Defence (Sardar Majithia) : (a) Yes.

(b) Yes.

(c) A statement showing the schemes as suggested by the three Cantonment Boards for the entire Second Five Year Plan period and their approximate cost is laid on the Table of the Lok Sabha. [*See* Appendix II annexure No. 70]. The schemes so far sanctioned and the amounts intended to be spent on them during 1956-57 have also been indicated therein.

कीमतों का संतुलन

*४३६. **श्री विभूति मिश्र** : क्या **वित्त** मंत्री यह बताने की कृपा करेंगे कि क्या सरकार किसानों के प्रति दिन के इस्तेमाल की वस्तुओं जैसे नमक, मिट्टी का तेल, कपड़े आदि की कीमतों का खाद्यानों के मूल्य से संतुलन बनाये रखने के लिये कोई योजना बनाने वाली है ?

वित्त तथा लोहा और इस्पात मंत्री (श्री ति० त० कृष्णमाचारी) : जी नहीं, ऐसी योजना तब तक संभव नहीं जब तक वितरण की सब प्रणालियों पर सरकार का पूरा अधिकार न हो। मैं नहीं कह सकता कि देश, सरकार द्वारा इस प्रकार की कार्यवाही किये जाने का समर्थन करेगा या नहीं।

Graphite and Pyrites in Kerala

*436-A. **Shri V. P. Nayar** : Will the Minister of **Natural Resources and Scientific Research** be pleased to state :

(a) whether any detailed study of the availability of Graphite and Pyrites in Kerala State has been made so far; and

(b) if not, whether Government will undertake a comprehensive survey of the resources during the fieldseason 1956-57?

The Minister of Natural Resources (Shri K. D. Malaviya) : (a) and (b). Only preliminary investigation has so far been made by the Geological Survey of India regarding Graphite deposits of Kerala State. Detailed mapping with particular reference to the graphite deposits in Kerala is proposed to be taken up by the Geological Survey of India during 1956-57.

The Geological Survey of India has m adea preliminary investigation of the pyrites occurrences. Detailed investigations of the pyrites occurrences in Kerala will be taken up after detailed mapping is completed.

Staff in Kerala

296. { **Shri V. P. Nayar** : **Shri Punnoose** :

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 742 on the 17th August, 1956 and state :

(a) the number of contingent employees in Government Departments having a continuous service of over 5 years;

(b) whether Government have examined the question of taking over the employees from contingent service to regular service;

(c) if so, the decision arrived at; and

(d) the benefits allowed after retirement to contingent service personnel?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) 3107.

(b) and (c). The question is under consideration.

(d) The employees get the benefit of contributory Provident Fund. The rate of subscription is 6 pies in the rupee each by the employee and the Government.

District Head Quarters Buildings in Kerala

297. { **Shri V. P. Nayar** : **Shri Punnoose** :

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 741 on the 17th August, 1956 and state :

(a) the total number of Government employees who will work in the District Head Quarters in Kerala State;

(b) the number of non-gazetted Officers among them;

(c) the number of non-gazetted Officers who will get official quarters; and

(d) the proposals for charging rent for such Government buildings?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) 2591 in the District Headquarters of Trichur, Kottayam and Quilon. Information regarding others is being collected and will be laid on the table of the House.

(b) 2453.

(c) Out of 253 quarters to be constructed 184 are intended for accommodation of non-gazetted officers. Information regarding existing quarters is awaited.

(d) No rent is realised for the quarters given to the last grade Government servants. The rate usually charged in the case of other non-gazetted Government servants is 10% of the pay. No final decision regarding the rate of rent has been taken in respect of the buildings under construction.

Pay Scale in Excise Department of Kerala

298. { **Shri V. P. Nayar :**
Shri Punnoose :

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 739 on the 17th August, 1956 and lay on the Table a statement showing the pay and allowances separately of the non-gazetted Staff of Excise Department in (i) Kerala service and (ii) Central Government service?

The Minister in the Ministry of Home Affairs (Shri Datar) : A statement is laid on the Table of the House. [*See* Appendix II, annexure No. 71].

Accommodation for Staff

299. { **Shri V. P. Nayar :**
Shri Punnoose :

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 738 on the 17th August, 1956 and state :

(a) category-wise details of non-gazetted Government servants who enjoy Government accommodation on minimum rent; and

(b) the places where this concession is given ?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) and (b). A statement showing the information so far available is laid on the Table of the House. [*See* Appendix II, annexure No. 72]. Further information is being collected and a complete statement will be laid on the Table.

Foreigners in India

300. Shri Ram Krishan: Will the Minister of **Home Affairs** be pleased to state:

(a) the number of foreigners in India (Statewise); and

(b) the occupation they follow?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) A statement giving the required information is laid on the Table of the House [*See* Appendix II, annexure No. 73].

(b) Business, missionary work, studies, medical and social work and as tourists.

Sangeet Natak Akadamis in States

301. Shri Ram Krishan: Will the Minister of **Education** b pleased to state the names of States where Regional Sangeet Natak Akadamis have been set up so far?

The Deputy Minister of Education (Dr. M. M. Das): Regional Sangeet Natak Akadamis were working in the States of Assam, Bihar, Hyderabad, Madras, Mysore Madhya Bharat, Orissa, Rajasthan, Saurashtra and Coorg before the re-organisation of States on 1.11.56.

Bankers Training Colleges

302. Shri Ram Krishan: Will the Minister of **Finance** be pleased to refer to the reply given to Unstarred Question No. 701 on the 4th April, 1956, and state whether the number of Bankers Training Colleges to be established, (State-wise) during the Second Five Year Plan for imparting training to the supervisory staff of the commercial Banks has since been decided?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): It is not possible to indicate at this stage whether any more Bankers Training Colleges will be organised during the second Five Year Plan. The position is being reviewed by the Reserve Bank of India from time to time.

Training in Metallurgy

303. Shri Ram Krishan: Will the Minister of **Education** be pleased to state:

(a) the total number of students sent by Government to the U.S.S.R. so far for training in Metallurgy; and

(b) the total number of students to be sent during 1956-57?

The Deputy Minister of Education (Dr. M. M. Das): (a) No student has been sent by the Government of India to U.S.S.R. so far for training in Metallurgy, but 80 graduate engineers who are prospective officers of the Bhilai Steel Project have been sent to Russia for training in different departments of Steel Works.

(b) Nil.

Sangeet Natak Akadami

304. Shri Ram Krishan: Will the Minister of **Education** be pleased to state the number and names of the institutions recognised by the Sangeet Natak Akadami so far, State-wise?

The Deputy Minister of Education (Dr. M. M. Das): A statement is laid on the Table of the House. [*Placed* in Library. *See* No. S-508/56.]

Sangeet Natak Akadami

305. Shri Ram Krishan: Will the Minister of **Education** be pleased to state the total amount of grants given to various organisations by the Sangeet Natak Akadami during the year, 1956-57 so far organisation-wise?

The Deputy Minister of Education (Dr. M. M. Das) : The Sangeet Natak Akadami has not given grant to any organisation during the year 1956-57 so far.

Nomadic Tribes

306. Shri Bheekha Bhai: Will the Minister of **Home Affairs** be pleased to state:

a) whether the Government have undertaken any survey of nomadic tribes in the country;

(b) if so, the names and number of such nomadic tribes (State-wise). ; and

(c) the steps taken for their welfare?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) No.

(b) Does not arise.

(c) The Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes is mainly the responsibility of State Governments. Those nomadic tribes that are included in the lists of Other Backward Classes maintained by the State Governments will be eligible for the benefits of the schemes included in their Second Five Year Plan for the welfare of the Other Backward Classes.

Rules regarding Payment of Allowances to Ministers

307. Shri Kamath: Will the Minister of **Home Affairs** be pleased to refer to the reply given to supplementary on Starred Question No. 2651 on the 29th May, 1956 and state when a copy of the rules and regulations governing the grant of allowances, travelling and other to Ministers on tour abroad are to be placed in the Library?

The Minister in the Ministry of Home Affairs (Shri Datar): The grant of travelling and other allowances to Ministers is at present regulated by the various provisions contained in the Fundamental and Supplementary Rules and other orders issued from time to time. These rules and orders are now being consolidated and a copy thereof will be placed on the Table of the House as well as in the Library.

Explosives

308. Shri Bansal: Will the Minister of **Defence** be pleased to state:

(a) whether a box containing certain high explosives was stolen while in transit from Gurgaon to Delhi Cantonment in September, 1956; and

(b) if so, whether the explosives have been traced?

The Minister of Defence Organisation (Shri Tyagi): (a) No, but a box containing 4 rounds of a High Explosive Ammunition fell off a vehicle on the road near Palam while the ammunition was being conveyed from Gurgaon to Delhi Cantonment Railway Station on 18-9-56 for loading.

(b) The box was found by the IAF Police shortly afterwards and was collected by the Ammunition Depot, Gurgaon from the Air Force authorities at Palam.

Life Insurance Corporation

309. { Shri Sadhan Gupta: / Shri V. P. Nayar:

Will the Minister of **Finance** be pleased to state:

(a) whether scales of pay and other service conditions have been fixed for the supervisory, clerical and subordinate staff of the Life Insurance Corporation of India;

(b) the procedure adopted in fixing them; and

(c) whether and in what manner representatives of employees affected were consulted?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): (a) Yes.

(b) and (c). Tentative scales of pay drawn up in the light of (*i*) the scales prevailing in the erstwhile insurance Companies, (*ii*) the new set up of the Corporation involving the opening of offices in places other than the larger cities and (*iii*) the scales obtaining in other Government undertakings of a similar nature, were discussed at various stages, with the representatives of the employees by the Officers of the Ministry of Finance and the Chairman of the Corporation. The points of view urged at

these discussions and also those brought out in the memoranda submitted by the employees' organisations from time to time were also duly considered. The final scales of pay etc. announced by the Corporation have been determined with great care and taken into account the views of the employees' representatives.

Insurance Field Workers

310. **Shri Sadhan Gupta:**
Shri L. N. Mishra:

Will the Minister of **Finance** be pleased to state:

(a) whether any decision has been taken regarding the scales of pay and other service conditions of the field staff employed by the Life Insurance Corporation;

(b) if so, the nature of the decision;

(c) the procedure adopted before the decision was taken; and

(d) whether and in what manner the representatives of the employees effected were consulted before the decision was taken?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): (a) Yes, Sir.

(b) to (d). The field staff have been categorized into four grades of inspectors—Probationary Inspectors, Junior Grade Inspectors, Senior Grade Inspectors and Selection Grade Inspectors. In order, however, to afford fair opportunity to the existing staff to show their worth, the process of categorization has been postponed till October, 1957 so that each person is given equal opportunity to be judged in his work under uniform conditions.

Special Police Establishments

311. **Shri Bahadur Singh:** Will the Minister of **Home Affairs** be pleased to state:

(a) the number of cases in which the Special Police Establishment secured convictions from courts from July to October, 1956 in the Punjab State;

(b) what were the categories of persons involved in these cases;

(c) what was the nature of offience for which they were tried; and

(d) whether certain Government Servants were involved in receiving illegal gratifications and if so, to which departments they belonged?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) to (d). The Special Police Establishment secured convictions in two cases in the Punjab State during the period from July to October, 1956 in which two Government Servants *viz* Station Master, Julana and a loading fireman of Moradabad and a private shopkeeper were involved. The accused persons were tried for the offences noted below against each :—

(i) Station Master	Acceptance of Illegal gratification and falsification of records (Sections 161 & 477-A. I.P.C.),
(ii) Loading Fireman	Conspiracy, cheating and and abetment. (Sections 120-B/420, 420/109 & 420/116 I.P.C.)
(iii) Shopkeeper	Conspiracy, cheating and using as genuine a forged document which was known to be forged (Sections 120-B/420, 420, 420/511 and 471/511 I.P.C.)

Army Instructions (India)

312. **Shri D.C. Sharma:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that ARMY INSTRUCTIONS (INDIA) is a weekly publication of the Ministry of Defence, Government of India;

(b) whether it contains only those orders which Government of India have power to make for the Indian Army;

(c) whether the orders published in the above publication before the commencement of our present Constitution were law, now defined as EXISTING LAW in Article 366 (10) of the Constitution of India;

(d) whether the law with regard to the stoppage of promotion of a Viceroy's Commissioned Officer is contained on page 151 of the MANUAL OF INDIAN MILITARY LAW, 1942; and

(e) whether there was any other law dealing with the stoppage of promotion of a Viceroy's Commissioned Officer?

The Deputy Minister of Defence (Sardar Majithia): (a) Yes, the Army Instructions are issued weekly; they are meant for official use only.

(b) Yes.

(c) No.

(d) No. Page 151 of the 1942 reprint of the Manual of Indian Military Law, 1937, merely contains notes about certain punishments, including forfeiture of seniority or service for promotion, which could

be awarded by way of summary disposal under the Indian Army Act, 1911.

(e) Yes, Section 43 of the Indian Army Act, 1911.

National Rifle Association

313. Shri D.C. Sharma: Will the Minister of **Education** be pleased to state:

(a) whether the National Rifle Association of India has submitted any programme for its expansion during the Second Five Year Plan; and

(b) if so, the main features thereof?

The Deputy Minister of Education (Dr. M. M. Das): (a) Yes, Sir.

(b) Construction of 'A' & 'B' type ranges; opening of a Sales Division for the supply of Arms, Ammunition & Accessories to the members; development of Rifle Clubs; Coaching programme; expenditure on Central Rifle Pistol Training School.

Literacy amongst Scheduled Castes and Tribes in Kerala

314. {Shri V.P. Nayar: / Shri Punnoose:

Will the Minister of **Home Affairs** be pleased to state the percentage of literacy among the Scheduled Castes and Tribes of Kerala as compared to the literacy of non-scheduled castes of the State?

The Minister in the Ministry of Home Affairs (Shri Datar): At the 1951 Census, literacy was cross-tabulated only by educational standards and livelihood classes, for the general population. There was also cross-tabulation of the literacy of a 10% sample population by age-groups. But there was no cross-tabulation of literacy by individual castes or special groups such as Scheduled Castes, Scheduled tribes, other Backward Classes and Non-Backward Classes. The percentage of literacy among Scheduled Castes, Scheduled Tribes and the non-scheduled Castes of Kerala state is not, therefore, available.

Oriental Bank of India Ltd.

315. Shri K. S. Rao: Will the Minister of **Finance** be pleased to state:

(a) the reasons for cancelling the licence granted to Oriental Bank of India, Ltd, Thodupuzha, Kerala State to carry on banking business; and

(b) whether any steps have been taken to safeguard the interests of the depositors and the shareholders?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): (a) There has been no question of cancellation of a licence as this Bank did not hold one at any time. The Reserve Bank if India have refused a licence to this bank as it failed to satisfy the requirements of clauses (a) and (b) of sub-secion (3) of section 22 of the Banking Companies Act.

(b) This will depend upon the decision of the bank itself as to whether, subsequent to the refusal of a licence to it, it converts itself into a non-banking company or goes into voluntary liquidation.

As for the shareholders, rights have been vested in them under the Companies Act, 1956 to inspect the books of the bank, call for meetings or even dissolve the Board of Management. The shareholders can, therefore, take such steps, as they consider necessary, including the taking of the bank into liquidation to safeguard their interests.

Lower Division Clerks

316. Shri Velayudhan: Will the Minister of **Home Affairs** be pleased to state:

(a) whether the demands placed by the Lower Division Clerks' Union were conceded by Government;

(b) if not, the items which were not accepted by Government; and

(c) whether over-time work allowance is given to them in time along with their pay?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) and (b). The demands of the Lower Division Clerks' Union have been mainly for revision of their pay scales, grant of two additional increments to Lower Division Clerks in non-participating Offices and modification of certain privisions of the Central Secretariat Clerical Service Scheme. As regards the demand for revision of pay scales, it has been decided that the scale of pay of Rs. 55-3-85-EB-4-125-5-130 should be revised to Rs. 60-3-81-EB-4-125-5-130 with effect from the 1st April, 1956, for the III/Lower Division Clerks in the Secretariat and included Attached Offices, and from 1st August, 1956 for clerks working in non-participating offices. As regards the demand for grant of two additional increments to clerks in non-participating offices, attention is invited to Question No. 521 by Shri Bheekha Bhai and Dr. Rama Rao, which was answered in the House on 30th November, 1954. The position stated therein still holds good. As regards the demand for modification of certain provisions of the Central Secretariat Clerical Service Scheme, representations received from the Association related in the main to the basis of promotion of these clerks to the Upper Division and to the grade of Assistant in the Central Secretariat

Service, fixation of their seniority for the purpose of confirmation in the Upper Division, lowering of the perscribed speed of 40 words per minute in Typewriting to qualify for additional increments and the grant of exemption to certain categories of clerks from the Typing Test for confirmation in the Lower Division grade. Orders have been passed and communicated to the Association already regretting Government's inability to accede to these requests.

(c) No overtime work allowance is at present admissible to clerks and, as such the question of its payment in time along with the pay does not arise.

Assistants Cadre

317. Shri Velayudhan: Will the Minister of **Home Affairs** be pleased to state:

(a) whether the Assistants cadre is being increased in strength; and

(b) if so, whether it is being done by direct recruitment or through promotion?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) The authorised permanent strength of Grade IV (Assistants) of the Central Secretariat Service was refixed, after a review, at 3,000 with effect from the 1st January, 1956. There is no proposal now under consideration for any further increase.

(b) In accordance with the provisions of the Central Secretariat Service (Reorganisation and Reinforcement) Scheme, 75% of the vacancies arising after the initial constitution of the service are to be filled by direct recruitment on the results of Cempetitive Examinations held by the Union Public Service Commission and 25% by promotion from the Clerical Grades.

Corruption in Excise Department

318. Shri D. C. Sharma: Will the Minister of **Finance** be pleased to state:

(a) the number of complaints of corruption received against the officers of Central Excise Department during the year 1956 so far;

(b) the number of complaints which have so far been enquired into and finalised; and

(c) the number of officers punished as a result of these complaints?

The Minister of Finance and Iron and Steel (Shri T.T. Krishnamachari): (a) 493

(b) 221.

(c) 24.

Welfare Extension Projects in Punjab

319. Shri D. C. Sharma: Will the Minister of **Education** be pleased to state:

(a) the places where Welfare Extension projects have been started by the central Social Welfare Board in Punjab during 1955-56;

(b) the amount spent on these projects in the State during the same period; and

(c) the main features of actual activities and the welfare work carried out in these projects?

The Deputy Minister of Education (Dr. M. M. Das): (a) Rohtak, Ludhiana, Ambala, Kulu, Gurdaspur and Hoshiarpur districts.

(b) Figures of actual expenditure are not yet available.

(c) Provision of Social Education and Craft training for women, Maternity and Child Welfare services, Balwadis and the organisation of melas and festivals.

Red Fort

320. Shri D. C. Sharma: Will the Minister of **Education** be pleased to state:

(a) the amount spent on the maintenance of the Red Fort during the three years ending 1955-56; and

(b) the amount to be spent during 1956-57?

The Deputy Minister of Education (Dr. M. M. Das): (a)

Year	Amount spent. Rs.
1953-54	12,753/6/-
1954-55	10,288/9/-
1955-56	11,577/11/6

(b) Rs. 16,600 of which Rs. 5,300 is estimated to be of general maintenance, and the balance on carrying out certain special repairs.

Security Arrangements

321. Dr. Ram Subhag Singh: Will the Minister of **Home Affairs** be pleased to state whether it is a fact that rules regarding the security arrangements for the President and the other VIPs will be revised?

The Minister in the Ministry of Home Affairs (Shri Datar): The instructions regarding the security arrangements for the President and the other V.I.P.s. are under constant examination and review.

Gujar Community

322. Shri D. C. Sharma: Will the Minister of **Home Affairs** be pleased to state:

(a) the steps Government have taken for the rehabilitation of Gujar Community living in Himachal Pradesh; and

(b) further steps Government propose to take during the current year?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) and (b). The Himachal Pradesh Administration have only recently proposed certain special schemes for the welfare of the Gujars. Provision has been made in these schemes for the settlement of these people on land and their housing and education, for the improvement of pastures and cattle-breeding and for the orgnisation of multi-purpose cooperetive societies with special emphasis on the marketing of ghee and butter. Schemes are at present under the consideration of the Government of India and will be taken up for implementation as soon as they are finally approved.

Nautical Museum

323. Shri D. C. Sharma : Will the Minister of **Defence** be pleased to refer to the reply given to Starred Question No. 1617 on the 31st August, 1956 and state :

(a) whether Government have considered the proposal for setting up a Nautical Museum in the country ; and

(b) if so, the details thereof?

The Deputy Minister of Defence (Sardar Majithia) : (a) Yes.

(b) A proposal to set up such a Museum has been taken up for consideration by the Naval authorities, and details are being worked out.

Geological Investigations

324. Shri D. C. Sharma : Will the Minister of **Natural Resources and Scientific Research** be pleased to lay a statement on the Table showing the details of the geological investigations which will be carried out in Punjab during 1956-57 ?

The Minister of Natural Resources (Shri K. D. Malaviya) : A statement showing the particulars of the geological investigations proposed to be carried out by the Geological Survey of India in Punjab during 1956-57, is placed on the Table of the House [*See* Appendix II, annexure No. 74].

Punjabi Language and Literature

325. Shri D. C. Sharma : Will the Minister of **Education** be pleased to state:

(a) the steps that have so far been taken by the Academy of Letters to develop the Punjabi Language and literature;

(b) whether any books have been translated, printed and published so far from Punjabi to any other language and *vice versa* by or with the help of the Academy ;

(c) if so, the names of persons engaged for the purposes of translation; and

(d) the amount of money allotted for that purpose ?

The Deputy Minister of Education (Dr. M. M. Das). (a) to (d). A statement is laid on the Table of the House. [*See* Appendix II, annexure No. 75].

Cess for Primary Education

326. Shri D. C. Sharma : Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 520 on the 8th August, 1956 and state the names of the rest of the States that have so far agreed to the proposal of levying taxes and cess for the purpose of introducing free and compulsory Primary Education in their respective territories ?

The Deputy Minister of Education (Dr. M. M. Das) The Governments of the States of Delhi and Manipur (before reorganization) had agreed in principle to the proposal.

Basic Education in Punjab

327. Shri D. C. Sharma : Will the Minister of **Education** be pleased to state the amount of grants so far given to the State of Punjab for the expansion of basic education?

The Deputy Minister of Education (Dr. M. M. Das) : A statement is laid on the Table of the House. [*See* Appendix II, annexure No. 76].

Scheduled Castes etc. Scholarships

328. Shri D. C. Sharma : Will the Minister of **Education** be pleased to state:

(a) the number of applications received from the Scheduled Castes and Scheduled Tribes male and female students of Punjab State in connection with Post-matric Scholarship Scheme during 1955-56; and

(b) the number of applications received from the students of Backward lasses during the same period?

The Deputy Minister of Education (Dr. M. M. Das): (a) (i) *Scheduled Castes*:

Male students	1429
Female students	10
TOTAL	1439

(*ii*) *Scheduled Tribes*:

Male students	18
Female students	Nil.
TOTAL	18

(b) *Other Backward Classes from Punjab State*:

(*i*) Male students	177
(*ii*) Female students	4
TOTAL	181

Canadian Aid

329. Shri D. C. Sharma : Will the Minister of **Finance be** pleased to refer to the reply given to Starred Question No. 1479 on the 27th August, 1956; and state :

(a) whether intimation has since been received from the Canadian Government about aid to be provided to India during the year 1956-57; and

(b) if so, the amount likely to be allotted for each project?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): (a) The Canadian Parliament has voted $25 million for capital assistance under the Colombo Plan. Country-wise allocations have not yet been made. The Canadian Parliament have also voted a special allocation of $7·5 million for the Atomic Reactor Project in India.

(b) An amount of $7 million has already been earmarked for the Kundah Project in Madras State; additional allocation for India and specific projects for which these funds will be utilised are matters under negotiation.

Camping Grounds, Punjab

330. Shri D. C. Sharma : Will the Minister of **Defence** be pleased to refer to the reply given to Starred Question No. 1299 on the 22nd August, 1956 and state the progress made so far with regard to the disposal of surplus camping grounds in the Punjab?

The Deputy Minister of Defence (Sardar Majithia): Five camping grounds in Punjab were declared surplus to Defence services requirements. The State Government were interested in their purchase An offer for permanent alienation of four of the camping grounds has since been made to the State Government on 5-10-56 on payment of full market value of the land plus cost of defence assets standing thereon. The market value of the fifth camping ground is being ascertained from the local authorities.

Since August last, one more camping ground at Batala has been proposed for alienation and an offer for the transfer of the entire camping ground on payment of the present market value of the land and the assets standing thereon has been made to the Government of Punjab.

Violating Prohibition Order

331. Shri D. C. Sharma : Will the Minister of **Home Affairs** be pleased to state the number of persons prosecuted in Delhi for violating the prohibition order during the current year so far?

The Minister in the Ministry of Home Affairs (Shri Datar) : No prohibition Act has been enforced in Delhi. Certain progressive restrictive measures towards the enforcement of partial prohibition were adopted during the current year. Violation of these restrictions are proceeded with like other excise offences and prosecutions launched under the Excise Act. The total number of cases in which prosecutions were launched during the months from April to October, 1956 is, 437.

Dr. Haralu

332. Shri D. C. Sharma :
Shrimati Tarkeshwari Sinha
Shri Kamath :

Will the Minister of **Defence** be pleased to refer to the reply given to Starred Question No. 1889 on the 7th September, 1956 and state :

(a) whether the summary of evidence regarding the death of Dr. Haralu has been examined; and

(b) if so, the action taken thereon?

The Deputy Minister of Defence (Sardar Majithia) : (a) Yes, Sir.

(b) The accused persons have since been tried by a General Court Martial. The proceedings thereof are at present under consideration of the General Officer Commanding, Assam.

Cultural Relations with Iran

333. Shri D. C. Sharma : Will the Minister of **Education** be pleased to state the steps taken by Government

during 1955-56 to bring about closer cultural relations with Iran?

The Deputy Minister of Education (Dr. M. M. Das): A statement is laid on the Table of the House. [*See* Appendix II, annexure No. 77].

श्री गैरी डेविस

३३४. **डा० राम सुभग सिंह** : क्या **गृह-कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अपने को विश्व नागरिक बताने वाले श्री गैरी डेविस के भारत में रहने के लिये उनके 'विसा' की अवधि गत ४ अक्तूबर, १९५६ को ही समाप्त हो गई ;

(ख) यदि हां, तो क्या उन्होंने उसे बढ़ाने के लिये कोई आवेदन पत्र दिया है **और** ;

(ग) यदि प्रश्न के भाग (ख) का उत्तर "नहीं" में है तो वे भारत में कैसे रह रहे हैं ?

गृह-कार्य मंत्रालय में मंत्री (श्री दातार): (क) जी हां ।

(ख) उन्हें भारत में छः महीने और रहने की आज्ञा दे दी गई है ।

(ग) प्रश्न ही नहीं उठता ।

Homes for Juveniles

335. Shri D. C. Sharma : Will the Minister of **Education** be pleased to state:

(a) the number of homes for juveniles which received aid from the Central Government in 1955-56 and the aid proposed to be given in 1956-57; and

(b) the number of homes for juveniles run by the Central Government, the places where they are situated and the number of juveniles in these institutions?

The Deputy Minister of Education (Dr. M. M. Das) : (a) The Government of India did not give any assistance to homes for juvenile delinquents during 1955-56. The extent of assistance to be given during 1956-57 has not yet been decided.

(b) One home in Delhi, which has 199 boys.

Discharge of Combatant Clerks

336. Shrimati Renu Chakravartty: Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that combatant (non-Matriculate) clerks of Army Ordnance Corps are being discharged after 9 to 15 years service;

(b) if so, the reasons therefor; and

(c) whether they have passed through different training centres and were permanently classified to draw pay and allowances as qualified groups?

The Minister of Defence Organisation (Shri Tyagi) (a) and (b). Certain combatant clerks of the Army Ordnance Corps who were not in possession of the minimum prescribed educational qualification, *viz.*, Matriculation (or equivalent), at the time of their enrolment are being discharged. These clerks were recruited between 1947 and 1950 and consequently their length of service does not exceed 10 years in any case.

(c) Passing through the training centres for regimental and departmental training is a pre-requisite to becoming a trained soldier. Such training does not entitle a non-matriculate to receive matric entry-rates of pay and any classification based on the assumption that an individual was a Matriculate, while in fact he was not, was, therefore, irregular.

Aid to Voluntary Organisations in Rajasthan

337. Shri Karni Singhji : Will the Minister of **Education** be pleased to state:

(a) the financial aid given to voluntary organisations doing educational work in Rajasthan with particular reference to Bikaner during 1952-53, 1953-54, 1954-55 and 1955-56.

(b) the names of organisations, recommended by the Government of Rajasthan in this connection in the State; and

(a) the names of organisations, out of those recommended by the Rajasthan Government *vide* part (b) above which were granted aid?

The Deputy Minister of Education (Dr. M. M. Das) : (a) The following:

financial aid was given to voluntary organisations doing educational work in Rajasthan during the years 1952-53 to 1955-56:—

	1952-53 Rs.	1953-54 Rs.	1954-55 Rs.	1955-56 Rs.
Rajasthan (excluding Bikaner	1,38,751	1,99,267	4,51,296	5,60,867
Bikaner	13,200	..	1,11,256	1,88,234
TOTAL.	1,51,951	1,99,267	5,62,552	7,49,101

(b) and (c):

Organisations recommended by Rajasthan Government for financial aid.	Whether financial aid was given or not
1. Gandhi Vidya Mandir, Sardarshahr	yes.
2. Mahila Ashram, Bhilwara	yes
3. Vidya Bhawan Society, Udaipur	yes
4. Rajasthan Vishwa Vidyapeeth, Udaipur	yes
5. Bansthali Vidyapeeth, Banasthali, Jaipur	yes
6. Gurukul, Chittor	yes
7. Chopasani High School, Jodhpur	yes
8. Bal Niketan, Jodhpur	yes
9. Gramothan Vidyapeeth, Sangaria	yes
10. Rajasthan Scouts and Guides Association, Jaipur	yes
11. Happy, School, Alwar	yes
12. Modern High School, Jodhpur	No
13. Educational and Vocational Guidance Bureau, Gangashahr, Bikaner	No
14. M.G.D. Girls, Public School, Jaipur	yes
15. Birla Engineering College, Pilani	yes

Scholars from U.S.S.R.

338. **Sardar Iqbal Singh:**
Sardar Akarpuri:

Will the Minister of **Education** be pleased to state :

(a) the total number of scholars from U.S.S.R. studying in Indian Universities under the various schemes of Government; and

(b) the names of Universities where they are studying; and

(c) the nature of their studies?

The Deputy Minister of Education (Dr. M. M. Das): (a) None, so far as the Government of India are aware.

(b) and (c) Do not arise.

Cantonment Boards

339. **Sardar Iqbal Singh :**
Sardar Akarpuri:

Will the Minister of **Defence** be pleased to state :

(a) whether any decision has been taken in regard to the development schemes for the cantonments situated at Ambala, Dikshai and Amritsar;

(b) if so, whether a copy of the decisions taken in respect of each of them will be laid on the Table; and

(c) if not the time likely to be taken in arriving at final decision?

The Deputy Minister of Defence (Sardar Majithia): (a) to (c) A statement showing position in respect of the various development schemes of Ambala, Dagshai and Amritsar Cantonments is laid on the Table of the House. [*See* Appendix II, annexure No. 78].

Welfare of Tribal People

340. **Shri Subodh Hasda :** Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that a large sum of money remained unspent for the Welfare of the Tribal people in West Bengal, particularly in the District of Midnapore in 1955-56; and

(b) if so, the reasons therefor?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) and (b) Out of Central grants-in-aid amounting to Rs. 16·00 lakhs for 1955-56 for the welfare of Scheduled Tribes in West Bengal, only a sum of Rs. 2.20 lakhs remained unutilised with the State Government at the end of the year. This was due to non-implementation of some of the sanctioned schemes in full. District-wise figures of expenditure available with the State Government do not show any particularly large surrenders in the district of Midnapore.

Collection of Land Tax

341. **Shri V. P. Nayar :** Will the Minister of **Home Affairs** be pleased to state:

(a) the date from which "Jenmikarom Kudiyans" in the *ex*-Travancore Cochin Area of Kerala State were made liable to pay basic land tax in addition to the Jenmikarom;

(b) how the Jenmikarom Kudiyans were informed about this decision and in which year; and

(c) to what percentage of the above Kudiyans individual demand notices have been sent so far?

The Minister in the Ministry of Home Affairs (Shri Datar) (a) From 1121 Malayalam era (corresponding to the year 1945).

(b) The land Tax Proclamation of 1121 under which the basic land tax was first levied, was published in the Official Gazette.

(c) Demand notices were issued to all tenants who did not pay the instalment on the due date.

India Code

342. Shri S. V. L. Narasimham : Will the Minister of **Law** be pleased to refer to the reply given to Unstarred Question No. 1653 on the 11th September, 1956 and state the reasons for delay in publication of the " India Code".

The Minister of Law and Minority Affairs (Shri Biswas): There has been no delay in bringing out the Volumes of this publication. Out of the proposed eight Volumes, four have already been published and the remaining four are expected to be published one after the other, during 1957.

Excavations at Malari

343. {Sardar Iqbal Singh : Sardar Akarpuri:

Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 1435 on the 7th September, 1956, and state :

(a) whether the information regarding excavations carried out at Malari in Garhwal District of the Uttar Pradesh by Archaeological Department has been collected; and

(b) if so, the details thereof?

The Deputy Minister of Education (Dr. M. M. Das): (a) and (b). The Union Department of Archaeology has not conducted any excavations so far at Malari. The State Government, who were requested to furnish details of the reported finds at Malari, have suggested that an Officer of the Union Department of Archaeology should visit the place and investigate. Such investigations will be under taken soon after the place is clear of the winter snow-fall.

All-India Council for Secondary Education

344. {Sardar Iqbal Singh : Sardar Akarpuri:

Will the Minister of **Education** be pleased to state :

(a) the main recommendations of the All-India Council for Secondary Education which held its meeting in July, 1956; and

(b) the steps taken by Government so far to implement them ?

The Deputy Minister of Education (Dr. M.M. Das): (a) and (b). A statement is laid on the Table of Lok Sabha. [*See* Appendix II, annexure No. 79].

Crimes in Delhi

345. {Sardar Iqbal Singh : Sardar Akarpuri:

Will the Minister of **Home Affairs** be pleased to state :

(a) the number of crimes committed in Delhi State during the year 1955, under the following heads (i) murder (ii) decoity (iii) abduction. (iv) Kidnapping and (v) criminal assault ;

(b) the percentage of such crimes which remain undetected; and

(c) the number of cases where the accused were acquitted and strictures passed on the police under the various heads referred to in part (a)?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) :

(*i*) Murder	42
(*ii*) Dacoity	1
(*iii*) Abduction	25
(*iv*) Kidnapping	131
(*v*) Criminal assault	117

(b)

(*i*) Murder	14·28%
(*ii*) Dacoity	Nil
(*iii*) Abduction	12%
(*iv*) Kidnapping	24·4%
(*v*) Criminal assault	3·4%

(*c*) The number of accused acquitted or discharged is as follows:—

(*i*) Murder	12
(*ii*) Dacoity	..
(*iii*) Abduction	4
(*iv*) Kidnapping	27
(*v*) Criminal assault	39

In no case were strictures passed against the police.

DAILY DIGEST

[*Monday, 26th November* 1956]

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LOK SABHA

Monday, 26th November, 1956

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

QUESTIONS AND ANSWERS

(*See* Part I)

12 hrs.

MOTION FOR ADJOURNMENT

MADRAS TUTICORIN TRAIN DISASTER

Mr. Speaker: I have received notice of an adjournment motion from Shri Vallatharas regarding the railway accident in the south in Ariyalur. He has also given a notice calling attention under rule 216. The hon. Minister of Railways wrote to me yesterday that he would like to make a fuller statement today on the materials that he has since received regarding this accident. I, therefore, request the hon. Minister to make the statement.

Shri Vallatharas (Pudukkottai): I want to make a submission. The very defect which has led to this disastrous accident was that there was no flank embankment on either side of the abutment of the approaches. This defect exists in the Cauvery bridge, the Coleroon bridge and the Kudamurutti bridge in Trichinopoly. I have personally seen all the three. In respect of the Kudamurutti bridge, I wrote to the Railway Minister to mend this defect. That has not been properly done. If the rains continue, I am sure, with my personal knowledge of the line between Mayavaram and Negapatam, there should be certain collapses unless they are attended to very promptly. There is a great disaster waiting. It is better that the Government suspend the running of trains for at least one week if they are satisfied. This is a point that I want to bring to the notice of this House and the Minister.

I understand from the reports now that both the ends of the Cauvery bridge are likely to suffer if the flood continues. The flood has been there for 2½ months. The soil is alluvial and weak. At any time it may give way.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): May I say that so far as this motion for adjournment is concerned, you have just called upon the Railway Minister and he is going to make a statement on the facts. With your permission, I should like to add a few words after he has finished it. In regard to this, I may say right at the beginning, whether it is called an adjournment motion or by any other name, Government will not come in the way of a fullest discussion of this subject in this House. You may fix any time for it so that every Member may be able to express his opinion. Just as the hon. Member opposite has pointed out something, others also may have something to say. Anyway, we welcome a discussion in this regard to this vital matter. The House is naturally deeply interested and it is entirely for you to decide whether it should come in the shape of an adjournment motion or any other discussion. The point is that the matter may be fully discussed in the House.

The Minister of Railways and Transport (Shri Lal Bahadur Shastri): Mr. Speaker, the House, I know, feels

[Shri Lal Bahadur Shastri]

deeply shocked and concerned over the grim tragedy which occurred on the 23rd morning on the Southern Railway near Ariyalur station. I had already made a short statement regarding this accident on Friday, the 23rd instant, before the House.

I wish now to give more details of the accident which, if they are somewhat lengthy, I hope the House will not mind.

The 603 Down Express which was involved in this accident left Madras Egmore at 21.50 hours on 22-11-56 and arrived at Ariyalur station 84 minutes late mainly due to having lost time on account of cautious running on the section. In the block section between Mathur and Sendurai stations she lost 29 minutes due to being piloted cautiously. After halting at Ariyalur for 3 minutes she left at 5:21 hours. Having crossed bridge No. 252 safely, at 5:30 hours the engine and 7 coaches behind it capsized and fell into a breach which had been caused by the erosion of the right approach bank behind the abutment. The coaches involved were 4 third class and 2 upper class coaches and one combined parcel, luggage and brake-van. The eighth bogie was derailed and the last four remained on the rails.

It is most painful to report that as a result of this accident the death roll amounts to 144 passengers. This includes 2 who subsequently died out of the 117 injured, who were taken to Trichinopoly and admitted in the Civil and Railway Hospitals there. Till this morning, 33 injured persons have been discharged from the hospitals.

Medical relief was rushed both from Trichinopoly and Villupuram by special medical relief trains which arrived at the site at 9-45 and 10-5 hours. Meanwhile, 6 to 7 local doctors from Ariyalur had also arrived at the scene and had already started rendering first-aid to the injured. The medical relief train carrying the injured persons left the site for Trichinopoly at 10-30 hours, but unfortunately this train had to be held up at Pullambodi station as the track further ahead was submerged under water and not considered safe for the passage of trains. The injured persons were, therefore, removed to hospitals at Trichinopoly by road in ambulances and lorries.

The dead bodies were removed to Dalmiapuram Cement factory for identification and further disposal. So far, 83 bodies have been identified and handed over to the relatives.

Instructions have been issued by the Southern Railway to all Station Masters to afford full facilities to the relations of the dead and injured for travelling to the scene of accident and the hospitals. Arrangements have also been made for the conveyance of these relations from Trichinopoly by buses due to the interruption in the rail communication.

The clearance of the debris at the site is in progress. Two or three dead bodies are still to be extricated.

Bridge No. 252, which was constructed in 1928, is a plate girder bridge consisting of 8 spans of 62'—3". The foundations are on twine screw cylinder piles. Previous to this accident, the highest flood level ever recorded was 9'-0" below the rail level. There is no record during the 28 years of its existence of any important repairs having been needed on this bridge or its approaches. Stone pitching had been provided round the abutments and the approach bank had also been pitched. The information gathered so far leads to the conclusion that a breach was formed adjacent to the Trichy side abutment into which the engine and the seven bogies plunged after the bridge had been safely crossed. This breach must have taken place within a very short time as four trains passed over this bridge after midnight, the last being 605-Up passenger train at 3:09 hours without the engine crew noticing or reporting anything unusual.

The entire bridge structure remains intact and safe except for a portion at the Trichy end of the abutment which was damaged due to the accident.

The question may arise as to whether the bridge and its approaches were being properly inspected. The reports received go to show that this was being done regularly. The details are that the Assistant Engineer had trollied over this section on 9.11.56 and the P.W.I. was on the section as late as 22.11.56. Monsoon patrolling was in force in this section and according to the patrolman on duty, he passed over the bridge four times during the night, and when he last passed the site at about 4 A.M., according to him, the water was still one foot below the bottom of the girders. He thereupon continued with his patrolling duty. The river level seems to have risen rapidly thereafter.

So far as safety measures against flooding, etc., in the Southern Railway are concerned, where the monsoon is now on, the General Manager is reviewing the present arrangements and will ensure that irrespective of additional expenditure involved every possible precaution is taken and that the number of stationary chowkidars to guard all vulnerable bridges and banks is increased and patrolling intensified by reducing patrol beats wherever necessary. The Inspectors and Engineers are also being instructed to make intensive checks of the work of the patrols especially during night time to see that they understand their duties fully and clearly and act accordingly.

I shall not like to say anything regarding the cause of the accident as there is no point in making a surmise when we propose to institute a high level enquiry immediately. As the House is aware, under the statutory provisions an enquiry has to be held by the Government inspector of Railways, but we have decided that in this, besides this statutory enquiry, we should order a judicial enquiry. It has been decided to appoint Justice Shri Himansu Kumar Basu of the Calcutta High Court to conduct this enquiry. I have got minto touch with the Bengal Government and I am thankful to them that they have taken the approval of the High Court and communicated their consent. He will be assisted by two technical assessors of whom one will be a non-railway engineer. I hope it will be possible to commence this enquiry from the 1st of December.

As regards the steps that are to be taken to stop such happenings, the Railway Board is initiating a survey of the bridges on Indian Railways and of their catchment areas, and an examination of the history of floods that have passed through such bridges. It is also arranging for the examination of the adequacy of the procedure for the patrolling of track during monsoons and floods.

As the House is aware, a Committee of three engineers has been set up to examine the bridges on the ex-Nizam State Railway. They have been asked to examine the design of bridges and the calculation of the waterway with special reference to the terrain or any changes that have taken place in recent years necessitating the provision of increased waterway. They have also been asked to examine the adequacy of protection of approach banks and irrigation works affecting the safety of the line and examine the rules and regulations governing inspection of bridges and patrolling of track during monsoons and floods. Their conclusions in these respects will assist the Railway Board in the overall investigations which it is initiating. The accepted recommendations will have to be carried out as early as possible and the funds required will have to be arranged.

Everything possible is being done to mitigate the suffering of the injured persons by the Civil and Railway Hospital authorities. The District Magistrate, Trichinopoly, has opened a Relief Fund and this fund will be administered by him and will be utilised to give immediate

[Shri Lal Bahadur Shastri]

relief to the victims of the accident and their dependents. Shri V. Ratnam Mudaliar, City Civil Court Judge, Madras, is being appointed Claims Commissioner for assessing the compensation claims and he will start his work very soon.

The accident is very serious indeed and I am fully conscious of our great responsibility. The enquiry to be held would apportion the responsibility and also suggest safeguards against accidents and we would anxiously await their recommendations.

Shri Jawaharlal Nehru: Since day before yesterday, or two or three days ago, when news started arriving of this accident, all of us who heard of it experienced a shock and were exceedingly upset by it. We can send words of sympathy and condolence to those who have suffered because of the loss of their loved ones. It is rather poor fare to send them, nevertheless we can do little more. But this is a matter not only for those who have suffered but for every Member of this House and vast number of others who have felt very unhappy. And I am sure in fact I know it that probably the unhappiest man among all of us is the Railway Minister because it is his Ministry's responsibility—the running of the railways and all that happened there. He is not personally responsible of course. I do not know who is personally responsible in this matter. The engineers are specially responsible to see that this kind of thing does not happen and guard against all such disasters. I cannot at this stage naturally indicate the special responsibility of a particular individual, but there is no doubt about it in my mind that both in regard to this particular disaster and in regard to the larger question of preventing any possibility of such a disaster occurring, every conceivable enquiry, the fullest enquiry, should be made, both as I said in this particular matter and in this larger question. And there is no question of our, for lack of money, putting any limits to such an enquiry. It is too vital a matter involving the lives of hundreds of our own people, may be more, and involving also, naturally, a certain sense of apprehension in the minds of others.

Disasters come to us because of Nature's vagaries. We cannot hold an earthquake, and sometimes huge floods come and wash away, as they did this year, tens of thousands of villages completely in Bihar, in Bengal, in U.P. and elsewhere. Nevertheless we do not submit to those disasters; we try to meet them. Now, this particular type of disaster also came suddenly unawares. There may be any number of explanations and possible excuses offered that all normal or abnormal care was taken. Nevertheless, this happened. And yet I do feel that in a matter of this kind, no excuse is good enough. And the thing that has moved all of us, I am sure, is that the same type of disaster should occur, broadly speaking in the same area or nearby twice within a short period, and three times in the course of a year or two. A greater warning no one can have and, as I said, every possible step should be taken to run our railways so as to produce a sense of confidence and security. I just mentioned to you that Government will welcome any discussion of this entire subject in a limited or broader way, in any form that you and the House may decide and at any time convenient to you and the House.

The ultimate responsibility for everything that happens in this country is certainly the responsibility of the Government of India. We do not wish to shirk that responsibility. It is true that we cannot control the elements and we cannot control many other things, but it is the Government's responsibility, we fully accept that; the responsibility for anything that happens on the railways is more particularly the responsibility of the Railway Ministry, though that responsibility as all others is shared jointly with the other members of the Government of India.

It has been my privilege and high good fortune to have functioned as

the Prime Minister of this country with a number of colleagues who are men and women of high quality, men and women of perfect—not all of us are perfect, but who have given of their best I believe in the service of the country, and men and women who have shouldered this tremendous burden during these many years. It is a great responsibility and a great burden, this governance of India, and the responsibilities and burdens grow. If I am Prime Minister, certainly I am for everything more responsible both for shouldering that burden and for other matters, but no man, certainly not I, but I believe no one else can presume to say that he can shoulder this great burden by himself. I have been supported and helped and aided by my colleagues in Government and I am deeply grateful to all my colleagues for that co-operative endeavour in which we have all worked together with goodwill; we have not agreed with each other, but there has been that desire to work as a team and work together, and we have succeeded in that. Whatever we may have achieved, it is for others to say what we have achieved or we have failed to achieve. But I think it is true to say, and I say so with all humility, that all of us have tried to do our utmost in the service of the Indian people, whatever our failings or mistakes may have been. I mention this matter because my mind has been greatly troubled during the last few days about this disaster and, perhaps, the mind of my colleague, the Railway Minister, has been far more troubled and unhappy over it. I have referred to my colleagues in the Government of India. If I may refer to my colleague, the Railway Minister, I should like to say that it has been, not only in the Government, but for long, my good fortune and privilege to have him as a comrade and colleague and no man can wish for a better comrade and better colleague in any undertaking—a man of the highest integrity, loyalty, devoted to ideals, a man of conscience and a man of hard work. We can expect no better. And it is because he is such a man of conscience that he has felt deply whenever there is any failing in the work entrusted to his charge. When on the last occasion—two or three months ago, I forget now in Mehboobnagar an accident occurred, he has deeply moved and distressed and he came to me then and wrote to me offering his resignation because he felt that it was his responsibility and although he was not directly concerned, naturally, in this matter, nevertheless, because he was ultimately responsible, it was right and proper, so to say, even as a measure, he said, of constitutional propriety that he should offer his resignation. I agreed with him that it was right and proper for him to offer resignation because of that. But I did not agree with him after much thought that it would be right and proper for me to accept his regisnation, and I told him so, not to his great satisfaction. Now, again, as soon as this accident was known to us, he came to me and again offered his resignation. Last night I received a letter from him which I think I should share with the House.

"My dear Panditji,

I am sorry I have to approach you again with this letter. You know that another very serious railway accident has occurred. It is a strange coincidence that this recent accident should have taken place in, more or less, similar circumstances. And it has pained me most that another grim tragedy should have occurred so soon after the Mehboobnagar accident. The number of casualties is already much higher than in the former, and I do not know what figure it will touch, as it has not been possible to remove all the debris so far. And then there are many who are grievously injured. I can very well realise the concern of the people and of Parliament about this very sad and shocking disaster.

You were generous enough not to accept my resignation when I tendered it last time and I do not wish, to embarrass you again. But I do feel that it would be good for me and for Government as a whole if I quietly

[Shri Jawaharlal Nehru]

quit the office I hold. It would, to a great extent, ease the peoples' minds. I hope you will be good enough to consider my request."

On receipt of this letter I talked to him also last night and I saw the great distress in his mind and the burden that he was carrying. Afterwards, I thought of it again and I came to the conclusion that it would be better for me to accept his resignation....

Some Hon. Members: No, no.

Shri Jawaharlal Nehru: ....or, if I may put it more correctly, it would be better for me to advise the President to accept his resignation, not because I hold him responsible—obviously not—I have already spoken in high terms of his work, the joint work that we have done together; I have the highest regard for him and I am quite sure that in one capacity or another we shall be comrades in the future and will work together—but I do feel, more from the broader point of view of constitutional propriety, that we should set an example in this matter and that no man should think that whatever might happen we carry on in the same way without being affected by it. We are affected by it. It has been a difficult decision for me, but I came to that decision in the small hours of the night and I thought it right to convey it at the earliest possible opportunity to this House. I propose to recommend to the President to accept the resignation of my colleague, the Railway Minister. But I shall ask him to continue his work for a few days till other arrangements can be made.

Mr. Speaker: In view of the statement of the hon. Prime Minister that a date may be fixed convenient to all, I propose to accept his suggestion and I will try to fix a date in consultation with him and the Railway Minister to have a full discussion.

Shri Vallatharas: I would like to make a submission. In view of the fact that the feeling in this House is running very high and since, as a matter of fact, so many of my relatives have died, I do not want the postponement of the consideration of this motion by even a single minute. The adjournment of the House from discussing other business must take place and I would strongly appeal to the Prime Minister, the Leader of the House, and also the hon. Speaker to allow that lest there be a carry over of this topic. I have personally seen the bridges in the other rivers and unless something very important and very urgent is carried out through the engineers in this particular place, which I would be able to mention only in the course of the discussion, there will be a great disaster which would not be averted in any other manner possible.

I understand that the death roll is not 141, but there are above 200 bodies buried deeply under the wreckage in that pool. That news appeared in *The Indian Express* today. I, therefore, appeal to the Leader of the House that other business of any importance is not worthwhile in the face of this dire situation in which our hearts must speak. Thousands and millions in the South must console themselves by hearing you. It is not the details that we have lost some people, but it is the consolation which we want to have from you that you have devoted some hours over this. I again appeal to you in all humility to consider this. Most of the people are excited over it and I am pained to say that it occurred within 30 miles of my residence and within my district. Many of my relatives are involved in it and above all some of the most valuable men and women have lost their lives. The best singers, the best administrators, the best judges and politicians have died. The House must hear what were the arrangements made for the afflicted persons.

I would again submit to the Leader of the House to consider my motion. In view of the fact that Government agreed to have this matter discussed, I suggest that we may better do it

today and not postpone it by a moment. We are in possession of all the facts. It is four days since the accident occurred, and we have received a lot of information, and even if it is defective, it does not matter. The consolation of 2 crores of people in the Madras State and also a part in the Travancore State has to be attended to.

Shri Jawaharlal Nehru: I am sorry that I did not make myself clear. I am perfectly willing to have this matter discussed here and now and this minute. Government are anxious about it. I merely stated that it is for you and the House to appoint a suitable time and if it is fixed this afternoon, we are perfectly, prepared.

Mr. Speaker: The hon. Member had not only tabled an adjournment motion but he had sent notice under rule 216. I thought that I might hear the hon. Railway Minister and he might not insist upon any discussion but the hon. Prime Minister has said that this is a matter of such serious consequence and he would like to have the matter discussed and as many details as possible given to the hon. Railway Minister and the House which would help Government to remedy any further defects that come to light immediately. I am not satisfied that within these 4 days, we have heard all the information that must be before the House. I will try to fix it up tomorrow or day after. Let us have some more time, so that we can get all the details from the local Government also and others who have gone there for the purpose of finding out what steps have to be taken, what more casualties have taken place. So far as this adjournment motion is concerned, I am not allowing it. I will try to fix tomorrow evening or day after tomorrow for this.

Shri Jawaharlal Nehru: I thank you for this decision. I would submit for your consideration that the House might rise for a minute, in memory of those who have suffered in this disaster.

Mr. Speaker: As a mark of respect, I request the House to stand for a minute.

The members then stood in silence for a minute.

PAPERS LAID ON THE TABLE

Reports of Law Commission

The Minister of Law and Minority Affairs (Shri Biswas): I beg to lay on the Table a copy of each of the following papers:

(1) Statement of the work done by the Law Commission till 31st October, 1956. [*Placed in Library. See* No. S-493/56.]

(2) First Report of the Law Commission (Liability of the State in Tort).[*Placed in Library. See* No. S-489/56.]

(3) Second Report of the Law Commission (Parliamentary Legislation relating to Sales Tax). [*Placed in Library. See* No. S-490/56.]

(4) Third Report of the Law Commission (Limitation Act, 1908). [*Placed in Library. See* No. S-491/56.]

(5) Fourth Report of the Law Commission (on the proposal that High Courts should sit in Benches at different places in a State). [*Pleaced in Library. See No. S*-492/56.]

Reorganised States (Scheduled Castes and—Scheduled Tribes) determination of population Rules

The Minister in the Ministry of Home Affairs (Shri Datar): I beg to lay on the Table under sub-section (2) of section 129 of the States Reorganisation Act, 1956 and section 52 of the Bihar and West Bengal (Transfer of Territories) Act, 1956, a copy of the Reorganised States (Scheduled Castes and Scheduled Tribes) (Determination of Population) Rules, 1956, published in the Ministry of Home Affairs Notification No. 18/18/56-pub. II-(B), dated the 23rd October, 1956. [*Placed in Library. See No.* S-494/56.]

MESSAGES FROM RAJYA SABHA

Secretary: Sir, I have to report the following two messages received from the Secretary of Rajya Sabha:

(i) "In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 22nd November, 1956, agreed without any amendment to the Union Territories (Laws) Amendment Bill, 1956, which was passed by the Lok Sabha at its sitting held on the 15th November, 1956."

(ii) "In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on the 22nd November, 1956, agreed without any amendment to the Manipur (Village Authorities in Hill Areas) Bill, 1956, which was passed by the Lok Sabha at its sitting held on the 14th November, 1956."

BUSINESS ADVISORY COMMITTEE

FORTY-THIRD REPORT

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to move:

"That this House agrees with the Forty-third Report of the Business Advisory Committee presented to the House on the 23rd November, 1956".

Mr. Speaker: The question is:

"That this House agrees with the Forty-third Report of the Business Advisory Committee presented to the House on the 23rd November, 1956."

The motion was adopted.

PAPER LAID ON THE TABLE

STATEMENT RE. ROAD TRANSPORT CORPORATIONS (AMENDMENT) ORDINANCE

The Deputy Minister of Railways and Transport (Shri Shahnawaz Khan): On behalf of Shri Lal Bahadur Shastri, I beg to lay on the Table a copy of the explanatory statement giving reasons for immediate legislation by the Road Transport Corporations (Amendment) Ordinance, 1956, (No. 8 of 1956) as required under Rule 89 (1) of the Rules of Procedure and Conduct of Business in Lok Sabha. [*See* Appendix II, annexure No. 80.]

FARIDABAD DEVELOPMENT CORPORATION BILL—*contd.*

Mr. Speaker: The House will now take up the further consideration of the following motion moved by Shri J. K. Bhonsle on the 23rd November, 1956;

"That the Bill to provide for the establishment and regulation of a trading Corporation for the purpose of carrying on and promoting trade and industry in the town of Faridabad, assisting in the rehabilitation of displaced persons settled therein and for matters connected therewith, be taken into consideration."

पंडित ठाकुर दास भार्गव : (गुड़गांव) : जनाब स्पीकर साहब, फरीदाबाद डेवेलपमेंट कारपोरेशन (विकास निगम) के बारे में मैं ने कुछ बातें चन्द रोज़ पहले अर्ज़ की थीं । मैं ने उस वक्त अर्ज़ किया था कि मुझे दो चार बातें और कहनी हैं । इस सिलसिले में मैं उन अशखास (लोगों) का कुछ थोड़ा सा जिक्र कर चुका हूं, जो कि बोर्ड के एम्प्लाईज़ (कर्मचारी) हैं । मैं निहायत अदब से अर्ज़ करना चाहता हूं कि ऐसे मामले में जब कभी कोई कार्पोरेशन बनती है या कोई नई संस्था वजूद (अस्तित्व) में आती है, तो उससे मुताल्लिक़ बिल में आम तौर पर यह लिखा होता है कि जो पहले के मुलाज़-

मीन हैं, उन की तन्ख्वाहें और उन के हक़ूक सब के सब कायम रखे जायेंगे । मैं ने २३ नवम्बर को भी अर्ज़ किया था कि बोर्ड के एम्प्लाईज़ का मामला अब भी गवर्नमेंट के सामने पेंडिंग (विचाराधीन) पड़ा हुआ है और उस के मुताल्लिक़ एक बड़ी भारी फाइल बनी हुई है, जिस में यह सवाल उठाया गया है कि उन के हक़ूक़ क्या हैं और क्या वे गवर्नमेंट सर्वेन्ट्स हैं, वग़ैरह । मुझे यह मालूम है कि बोर्ड के एम्प्लाईज़ यह जद्दोजहद करते रहे हैं कि उन के हक़ूक गवर्नमेंट सर्वेन्ट्स के हक़ूक के बराबर माने जायें । इस बिल में मैं यह पाता हूं कि बोर्ड के सारे एसेट्स (परिसम्पत्त) और लायबिलीटीज़ (दायिता) इस कार्पोरेशन को मिल गये हैं और कार्पोरेशन को बोर्ड का सक्सेसर (उत्तराधिकारी) बनाया गया है । यह बिल्कुल वाजिब है । मैं आनरेबिल मिनिस्टर साहब की खिदमत में यह अर्ज़ करना चाहता हूं कि मेहरबानी फ़रमा कर वह एक एशोरेंस (आश्वासन) दें कि बोर्ड के जितने एम्प्लाईज़ हैं, उन की तन्ख्वाहों, उनके हक़ूक़, स्टैंडिंग (सेवा काल) और स्टेट्स (पद) में बमुकाबिल पहले के कोई फ़र्क़ नहीं पड़ेगा । स्टेट बैंक से मुताल्लिक़ बिल में एक ऐसा ही प्राविज़न (उपबन्ध) मौजूद था और इसी तरह से, जहां तक मुझे याद है, जो नई इन्श्योरेंस कार्पोरेशन (बीमा निगम) बनी, उस के लिये जो बिल लाया गया, उस में भी ऐसे प्राविज़न मौजूद थे कि पुराने एम्प्लाईज़ के हक़ूक़ कायम रहेंगे । मैं यह चाहता हूं कि जब कि यह कार्पोरेशन एक सरकारी कार्पोरेशन के तौर पर कायम की जा रही है, तो उस सूरत में उन एम्प्लाईज़ के हक़ूक बिल्कुल ऐसे ही होने चाहियें, जैसे कि गवर्नमेंट सर्वेन्ट्स के हैं । मैं चाहूंगा कि चूंकि गवर्नमेंट आफ इंडिया इस कार्पोरेशन को बना रही है, इस लिये उन एम्प्लाईज़ के हक़ूक़ गवर्नमेंट आफ़ इंडिया के सर्वेन्ट्स के हक़ूक़ के मुताबिक़ हों और इस सिलसिले में उन को एशोरेंस दी जाये ।

कुछ अरसा हुआ, बोर्ड ने कुछ इंडस्ट्रीज़ (उद्योगों) को कुछ प्रोईवेट आदमियों को ट्रांसफर (हस्तान्तरित) कर दिया और वे वर्कमैन (कामगर) भी, जो कि उन इंडस्ट्रीज़ में काम करते थे, ट्रांसफर हो गये । उन के हक़ूक़ भी कायम रखे जायें । लेकिन उन इंडस्ट्रीज़ में कुछ क्लार्क्स थे और कुछ ऐसे काम करने वाले थे, जो कानूनन वर्कमैन की डेफीनीशन (परिभाषा) में आते हैं, लेकिन उन प्राईवेट लोगों ने, जिन को गवर्नमेंट ने इंडस्ट्रीज़ ट्रांसफर (हस्तान्तरित) कर दी थीं, उन क्लार्क्स और दूसरे आदमियों को हटा दिया और उन को वर्कमैन करार नहीं दिया । वे बेचारे बहुत दुखी थे और उन्होंने बहुत जद्दोजहद की, लेकिन उस का कोई नतीजा नहीं निकला । मैं अर्ज़ करना चाहता हूं कि ऐसे वर्कमैन में, जो हाथ से काम करते हैं और जिन को क्लैरिकल या कोई दूसरा काम करना होता है, जब कानूनन कोई फ़र्क़ नहीं है, तो कोई वजह नहीं है कि उन अशखास के हक़ूक का ख्याल न किया जाय । यह मामला ऐसा है, जिस के बारे में मैं ने कोई अमेंडमेंट (संशोधन) तो नहीं दी है, क्योंकि मैं जानता हूं कि आनरेबल मिनिस्टर साहब इस को बिल्कुल सिम्पथैटीकली (सहानुभूतिपूर्वक) देखेंगे और उन अशखास का पूरा ख्याल ज़रूर रखेंगे, जो कि बोर्ड के मातहत हैं और हम को यह एशोरेंस देंगे कि उन को रिट्रेंच (छंटनी) नहीं किया जायगा । आपका काम तो रिहैबिलिटेशन (बसाना) करने का है । अगर आप ही रिट्रेंचमेंट करने चलेंगे तो उनका कौन वली वारिस होगा । इसलिये मैं चाहूंगा कि जो एश्योरेंस देने के लिये मैं ने ज़ोर दिया है उसको मिनिस्टर साहब देंगे ।

दूसरी बात जो मैं ने अर्ज़ की थी उसके बारे में मैं थोड़ा सा और अर्ज़ करना चाहता हूं । वह यह कि जब आपने इसको एक कारपोरेशन बनाया है और इसका काम रखा

[पंडित ठाकुर दास भार्गव]

है रिहैबिलिटिशन करना और लोगों को काम देना और उनको दूसरी एमेनिटीज़ (सुविधायें) देना, तो सवाल यह पैदा होता है कि आप इस काम को किस तरह करें ।

जहां तक हाउसिंग (गृह व्यवस्था) का सवाल है वहां पर आपने ५१५८ मकानात तामीर कराये जिनमें से ४५०० मकानात आपने लोगों को दे दिये । अभी ६०० मकानात वहां पर पड़े हुये हैं जो कि किसी को नहीं दिये गये हैं । मुझ को बतलाया गया है, मैं नहीं जानता कि यह कहां तक दुरुस्त है, कि पिछली जनमअष्टमी को आनरेबल मिनिस्टर साहब और हमारे कांग्रेस के प्रेसीडेंट साहब वहां तशरीफ़ ले गये थे और वहां पर एक जलसा हुआ था और उस जलसे में आनरेबिल मिनिस्टर साहब ने लोगों को कहा था कि यह जो बाक़ी मकानात हैं उनको भी हम लोगों को देंगे । मुझे मालूम नहीं कि यह कहां तक दुरुस्त है, लेकिन मैं ने अब सुना है कि यह डिकलेअर (घोषित) किया गया है कि उन मकानात को आक्शन किया जायेगा । मैं अर्ज़ करता हूं कि अगर आनरेबल मिनिस्टर साहब एश्योरेंस दे चुके हैं तो उन मकानात को आक्शन (नीलाम) न किया जाये और जिस तरह से पहले गवर्नमेंट ने क्लेम्स के बदले लोगों को मकानात दिये थे उसी तरह से और लोगों को दिये जायें क्योंकि आपको तो उन लोगों को बसाना है और बसाने का यह बेहतरीन तरीक़ा है । इस के अलावा ऐसा करने से आनरेबल मिनिस्टर साबह ने जो एश्योरेंस दिया है वह भी पूरा हो जायेगा ।

इसी तरह से वहां पर कुछ ज़मीनें पड़ी हुई हैं जिन पर मकानात बन सकते हैं । वहां पर जो लोग बसाये गये थे उनके बहुत से रिश्तेदार भी वहां आ गये हैं और उनके साथ बस गये हैं और वह मकानात उन सब के वास्ते काफी नहीं हैं । उनको इस वजह से तंगी है । इसलिये अगर वे बिल्डिंग साइट्स (गृह निर्माण के लिये ज़मीनें) उनको दे दी जायें तो वे अपने मकाम बना सकते हैं । अगर ऐसा किया जाये तो निहायत मुनासिब होगा और आपका मतबलब भी पूरा हो जायेगा । आपने करोड़ों रुपये की इमारतें डिस्प्लेस्ड परसन्स (विस्थापित व्यक्तियों) को दी हैं और इस तरह से गवर्नमेंट ने उन के साथ बहुत जेनेरासिटी (सहानुभूति) दिखायी है । मैं चाहता हूं कि वह जेनेरासिटी कायम रहे और जो लोग वहां बसे हुये हैं उनको यह कंसेशन दिया जाये ताकि वे मकानात बना सकें और रह सकें ।

12.43 HRS

[MR. DEPUTY-SPEAKER *in the Chair*]

इसी तरह से दुकानों के बारे में भी मुझे अर्ज़ करना है कि दुकानों की हालत बहुत खराब है । चार सौ या पांच सौ लकड़ी के खोखे बने हुये हैं जो कि अब पुराने हो गये हैं । अब वक्त आ गया है कि उनको हटाकर बिल्ट शाप्स (बनी हुई दुकानें) लोगों को दी जायें ।

इसी के साथ साथ मैं आपकी खिदमत में अर्ज़ करना चाहता हूं कि वहां पर जो एक होज़री फैक्टरी इस सिलिसिले में बनायी गयी थी जब कि आपने कोआपरेटिव इंडस्ट्रीज़ (सहकारी उद्योग) मेसर्स चट्टोपाध्याय के साथ शुरू की थी, वह फैक्टरी फेल हो गयी और सारा रुपया जो आपका लगा था वह लोगों के काम में न आ सका और ज़ाया हो गया । अब मैं चाहता हूं कि वहां पर काटेज इंडस्ट्रीज़ (घरेलू उद्योग) कायम की जायें ताकि लोगों को पक्का काम मिले और देश का भी भला हो । मुझे मालूम है कि थोड़ा अर्सा हुआ कि भोंसले साहब जापान तशरीफ़ ले गये थे और वहां से इंडस्ट्रीज़ के बारे में

स्टडी (अध्ययन) करके आये थे और उन्होंने इस काम के लिये मिनिस्ट्री से कुछ रुपया भी अलाहिदा लिया है । यह काम मुनासिब किया गया है । इस वक्त जब कि फरीदाबाद का दूसरा ही कायापलट होकर नया जिस्म बन रहा है वहां पर काटेज इंडस्ट्रीज कायम की जायें । अगर वहां पर अम्बर चर्खे का सेंटर (केन्द्र) बन सके तो वह भी कायम किया जाये ताकि लोगों को काम मिल सके । या जैसी मोदी नगर में स्पिनिंग (कताई) मिल है उसी तरह की कोई मिल वहां कायम की जाये । उसको गवर्नमेंट खुद कायम करे और आहिस्ता आहिस्ता उसको कोआपरेटिव बेसिस (सहकारी आधार) पर ले आवे और उन लोगों को उसका हिस्सेदार बनादे । । अगर ऐसा हो तो और भी ज्यादा मुनासिब होगा ।

इस मामले में न तो मुझे बहुत ज्यादा तजर्बा है और इसलिये मैं और ज्यादा सजेशन (सुझाव) भी नहीं रखना चाहता लेकिन मैं यह जरूर चाहता हूं कि ऐसा न हो कि वहां पर जो काम हो उसकी क्रीम तो कैपीटलिस्ट (पूंजीपति) लोग ले जायें और जो वहां के लोग हैं उनको मजदूर बनाये रखें । यह मुनासिब नहीं होगा । गवर्नमेंट खुद कोआपरेटिव बेसिस पर फैक्टरी बनावे । देश में इस तरह के कारखाने और जगह कायम किये गये हैं । उसी बेसिस पर अगर वहां भी फैक्टरी बनायी जाये तो जिन लोगों को आप फायदा पहुंचाना चाहते हैं उनको फायदा पहुंचेगा ।

मैं एक चीज के बारे में और खास तौर पर जिक्र करना चाहता हूं । वहां के लोगों को काम देने की जो भी कोशिश आपसे हो सकती थी वह आपने की है । उसके करने में आपने दरेग नहीं किया । मुझे मालूम है कि आप वहां से मजदूरों को लारी से यहां लाते हैं । लेकिन मैं आपसे अदब से अर्ज करना चाहता हूं कि यह जो किस्सा है वह बहुत दुःखदायी है । आपको ३७ रुपया एक लारी पर खर्च बैठता है जिसमें १८ मजदूर आते हैं और जाते हैं । इस तरह से आप एक मजदूर पर दो रुपया रोज खर्च करते हैं । लेकिन उनको यहां जो मजदूरी मिलती है वह डेढ़ रुपया रोज होती है और कभी वह भी नहीं मिलती । ऐसी हालत में अगर उन मजदूरों को वहां रख कर डेढ़ रुपया रोज दे दिया जाये तो ज्यादा बेहतर होगा । मैं आपकी तारीफ करता हूं कि आपने डेसपेरेशन (मजबूरी) में उनको काम देने को हर तरह की कोशिश की । लेकिन ऐसा करने में एक मजदूर पर आपका दो रुपया रोज खर्च होता है और उस मजदूर को या तो यहां डेढ़ रुपया रोज मिलता है या कभी वह बेकार भी चला जाता है । गो-कि इस मामले में मैं आपकी तारीफ किये बगैर नहीं रह सकता, लेकिन यह नेशनल मनी (राष्ट्रीय धन) का वेस्ट (बर्बादी) है । इसलिये मैं अदब से अर्ज करूंगा कि कोई ऐसा तरीका निकाला जाये कि जिसके अन्दर यह सूरत पैदा न हो और इस तरह रुपया जाया न हो ।

एक बात मैं और अर्ज करना चाहता हूं । मुझ तक यह शिकायत पहुंची है कि वहां पर जो अस्पताल हैं उनम गरीब आदमियों को इंजेक्शन और दवा मिलने का ठीक इन्ति-जाम नहीं है । जो गवर्नमेंट के आफिसर्स हैं और जो बड़े बड़े आदमी हैं उनको तो दवा ठीक से मिल जाती है लेकिन गरीब आदमियों को नहीं मिलती । यह शिकायत कोई खास फरीदाबाद की ही नहीं है । यह शिकायत सब जगह है । लेकिन चूंकि आप फरीदाबाद को एक माडल टाउन (आदर्श नगरी) बनाना चाहते हैं इसलिये मैं अर्ज करूंगा कि वहां पर इस चीज का भी पूरी तरह लिहाज रखा जाये ।

मैं ने बहुत से सजेशन दे दिये हैं । मैं नहीं जानता कि इनमें से कितनों को माना जायेगा । लेकिन मैं आपको मुबारकबाद

[पंडित ठाकुर दास भार्गव]

देता हूं कि आपने फरीदाबाद को चुना । मैं अदब से अर्ज़ करूंगा कि जो चीजें इस बिल में लिखी हैं मुझे उनका कोई खास क्रिटिसिज्म (आलोचना) नहीं करना है । मैं यह ऐश्योरेंस ज़रूर चाहता हूं, जैसा कि मैं ने पहले अर्ज़ किया, कि बहुत से लोग जो कि प्राइवेट इंडस्ट्रीज़ में क्लर्क वग़ैरह थे और जो कि अभी तक भागते फिरते हैं उनका भी कोई इन्तज़ाम हो जायेगा । अगर ऐसा हो सकें तो बहुत बेहतर होगा ।

श्री गिडवानी (थाना) : मैं इस बिल की ताईद (समर्थन) करता हूं जो कि फरीदाबाद में कारपोरेशन बनाने के लिये, वहां की तरक्क़ी करने के लिये, वहां इंडस्ट्रीज़ (उद्योग) बढ़ाने के लिये और वहां के लोगों को रोज़गार देने के लिये लाया गया है । इस टाउन (नगर) को बने करीब नौ साल हो चुके और वहां की जनसंख्या, जैसा कि पंडित ठाकुर दास भार्गव साहब ने कहा, २३ हज़ार है । यानी वहां पर साढ़े चार हज़ार परिवार हैं । अगर मैं गलती नहीं करता तो इन आठ नौ बरसों में इन पर सरकार ने ७ करोड़ रुपया खर्च किया है । इसमें से साढ़े तीन करोड़ तो लोन (ऋण) है और २८ लाख की गवर्नमेंट हर साल ग्रांट (अनुदान) देती है । इस में यह कहा गया है कि यह ग्रांट तीन साल और भी चलेगी । पीछे इसको कम किया जायेगा । अगर इन सारे फैमिलीज़ (परिवारों) को यह सात आठ करोड़ रुपया एक साथ दे दिया जाता तो न मालूम फी फैमिली क्या हिसाब लगता, लेकिन मैं समझता हूं कि हर फैमिली को हज़ारों की तादाद में रुपया मिलता और उससे वे अच्छी तरह से बस जाते । अब भी अगर उनको सारा रुपया दे दिया जाये तो वह अच्छी तरह से बस जायें । अभी यह बतलाया गया है कि हर साल साढ़े पांच लाख रुपया सबसिडी (आर्थिक सहायता) के तौर पर खर्च होता है । यह रुपया लोगों को फरीदाबाद से दिल्ली लाने ले जाने के ट्रांसपोर्ट (परिवहन) पर खर्च होता है ।

एक आदमी को वहां फरीदाबाद से यहां पर लाने में उन्होंने बतलाया कि शायद २ रुपये लगते हैं । मुझे पता नहीं है कि वे कहां तक ठीक हैं और दो रुपये पड़ते हैं या १ या डेढ़ रुपये पड़ते हैं ....

पंडित ठाकुर दास भार्गव : आप हिसाब बैठा लीजिये । ३७ रुपये हर (प्रति) लारी पड़ते हैं जिसमें १८ आदमी आते हैं ।

श्री गिडवानी : ठीक है । अब आप ही बतलाइये कि इतना रुपया उनको यहां लाने पर खर्च किया जाता है और अक्सर उनको काम भी नहीं मिलता ह और वे शाम को खाली फ़रीदाबाद लौट जाते हैं ।

मुझे अफसोस है कि पिछली दफा मैं ने जो इस सम्बन्ध में लोक सभा में सवाल उठाया था उसके बारे में बाहर काफी चर्चा हुई और मुझे गलत ढंग से बाहर पेश किया गया । जो कुछ बाहर मेरे बारे में कहा गया और जो असर फरीदाबाद के लोगों पर डाला गया, उसका मैं ज़िक्र यहां नहीं करना चाहता लेकिन मुझे अफसोस ज़रूर है कि जब कोई आदमी कुछ कहना चाहता है आज के ज़माने में जिसको कि जम्हूरियत (प्रजातन्त्र) का ज़माना कहा जाता है, और जिस डेमोक्रेसी (प्रजातन्त्र) की एक सुन्दर मिसाल आज हमारे प्राइम मिनिस्टर साहब ने क़ायम की कि ग़लती जिस की न भी हो लेकिन अगर गलती भी समझी जाये तो भी मंत्रियों और वज़ीरों को बुरा नहीं मानना चाहिये । मैं ने उस दफा इस बात की नुक्ताचीनी की थी कि टेंडर्स नहीं मंगाये जाते या रुपया फिज़ूल खर्च होता है या जो खर्च होता है वह इस तरीक़े से खर्च नहीं होना चाहिये, इसके लिये यह कहते फिरना कि मैं रेफ्यूजीज़ (विस्थापित व्यक्तियों)

के खिलाफ़ हूं क्योंकि मैं दूसरे सूबे का हूं, इस तरह की चर्चा करना कितना मेरे साथ अन्याय है । इस समय मैं इसकी बाबत ज्यादा जिक्र नहीं करना चाहता लेकिन सबसिडी फ़रीदाबाद के लोगों को दी जाती है तो मैं ज़रूर पूछूंगा कि फरीदाबाद के अलावा और इतने सारे रेफ्यूजी टाउनशिप्स (विस्थापितों की बस्तियां) हैं जसे कि पटियाले के करीब राजपुरा है उसके हालात से मैं ज्यादा वाकिफ़ नहीं हूं लेकिन बम्बई से ४० मील दूर कायम रेफ्यूजी टाउनशिप की बाबत बतलाऊं जहां कि मेरे सूबे सिंध के करीब १ लाख लोग बसते हैं । वहां पर १० हजार आदमी रोज़ आते हैं और हमारे मिनिस्टर साहब आज से दो महीने पहले खुद वहां पर गये थे और उन्होंने खुद फरमाया था कि वाक़ई यहां के रहने वालों का बड़ा बुरा हाल ह । वहां पर एक लाख की बस्ती है । लोगों की तन्दुरुस्ती ठीक नहीं रहती । वहां के लोगों के दवादारू और इलाज के लिये अभी तक गवर्नमेंट की तरफ़ से जो पुराना मिलेटरी का अस्पताल है वही चल रहा है, टी० बी० अस्पताल भी नज़दीक़ है और एक टी० बी० फैक्टरी सा लगता है । वहां पर अभी तक काफी इंडस्ट्रीज़ क़ायम नहीं की गई हैं, नई नई इंडस्ट्रीज़ स्टार्ट (प्रारम्भ) करने की कोशिश हो रही है लेकिन वाक़या यह है कि अभी तक बहुत कम इंडस्ट्रीज़ वहां पर चल पाई हैं । वहां के लोगों को कोई सबसिडी नहीं मिलती है । फ़रीदाबाद में हमारे ग़रीब और मुसीबतज़दा भाई बसते हैं, उनको मदद मिले और सबसिडी मिले यह अच्छी बात है लेकिन मैं यह ज़रूर कहूंगा कि अगर पांच हज़ार फैम्लीज़ पर ७, ८ करोड़ रुपया खर्च हो चका है, मझे ठीक नहीं मालूम कि कितना खर्च हुआ है लेकिन उन्होंने ही हमें शायद ऐसा बतलाया था.....

Shri Nand Lal Sharma (Sikar): On a point of order, Sir. Is it an argument against the subsidy being given to the Faridabad Corporation or is it the subject under consideration?

Mr. Deputy-Speaker: How could that be a point of order?

Shri Nand Lal Sharma: Is that the subject under consideration?

श्री गिडवानी : मैं ने तो यही कहा है कि जहां इतना ज्यादा रुपया खर्च किया जा रहा है तो यह देखना चाहिये कि वाक़ई वह ठीक तौर पर खर्च हो रहा है कि नहीं । अगर फरीदाबाद के लोगों को सबसिडी दी जाती है तो ठीक है, अच्छी बात है ज़रूर दी जाये, मैं उसकी मुखालफ़त नहीं करता लेकिन जैसा कि हमारे भाई लाला अचिन्त राम ने कहा कि अगर पांच हज़ार फैम्लीज़ पर इतना खर्चा होने के बाद भी वह नहीं बस सके तो आप खुद समझ सकते हैं कि दूसरी रेफ्यूजीज़ कौल्लीज़ में क्या हालत होगी और हमारा कहना है कि उधर भी सरकार की तवज्जह होनी चाहिये, यही मेरे कहने का मतलब था कि वहां के लोगों की हालत की तरफ़ भी सरकार को ध्यान देना चाहिये और खुद हमारे मिनिस्टर श्री मेहरचन्द खन्ना ने वहां की खराब हालत को देखा और उसके बाद उन्होंने कुछ अफसरान भी वहां भेजे थे, अब पता नहीं उन्होंने क्या तजवीजें रक्खी हैं और उन पर क्या अमल हो रहा है । मैं अपने मित्र श्री नन्द लाल शर्मा को बतलाना चाहता हूं कि यह जो रुपये की इमदाद हमारे बदक़िस्मत भाइयों को मिल रही है उसकी कीमत ही क्या है उन लोगों के सामने जिन्होंने कि अपना सब कुछ बर्बाद करवा दिया । मेरे कहने का मतलब यही था कि इसी तरह की नज़र हमारी दूसरे कैम्पों पर भी होनी चाहिये लेकिन मैं यह ज़रूर कहूंगा कि जो खर्चा होता है उसकी पाई पाई ठीक ढंग पर खर्च हो और उसके लिये टेंडर्स ज़रूर मंगाये जायें और उसके ठेके ठीक से दिये जायें । जो खर्चा हो चुका

श्री गिडवानी]

वह तो हो चुका और जैसा कि पंडित ठाकुर दास भार्गव ने बतलाया और मैं समझता हूं कि उसमें शायद मिनिस्टर साहब का कोई कसूर नहीं था कि जो एक कोआपरेटिव यूनियन बनाई गई थी उसमें गालिबन् २४ करोड़ रुपया या ४८ करोड़ रुपया बर्बाद हो गया, इसके बारे में सही जानकारी मंत्री महोदय दे सकेंगे । मैं ने सुना है कि बाक़ी जो सामान है उसको चूहे खा गये हैं । सरकार को यह कहने को तो हो जाता है कि उसने इतने करोड़ रुपये हम रेफ्यूजीज पर खर्च कर दिये लेकिन दरअसल उनका सही उपयोग नहीं होता है और रुपया बर्बाद जाता है और इसीलिये हम चाहते हैं कि जो भी रुपया दिया जाये वह ईमानदारी से खर्च किया जाये और साथ ही किफायत से और ठीक ढंग से रेफ्यूजीज पर खर्च करना चाहिये ।

दूसरी बात यह है कि जैसा कि पंडित ठाकुर दास भार्गव ने बतालया कि वहा पर बहुत से ऐसे छोटे छोटे मुलाज़िम क्लर्क लगे हैं जो कि हालांकि रिटायर्ड हो गये हैं और जिनको पेंशन मिलती हैं लेकिन उनको तनख्वाह भी मिलती है । इसके अलावा वहां पर ऐसे भी मुलाज़िम रक्खे गये हैं जो कि न तो एम्प्लायमेंट एक्सचेंज (काम दिलाऊ दफ्तरों) की मार्फत आये हैं और न ही जिनकी नियुक्ति पब्लिक सर्विस कमिशन (लोक सेवा आयोग) के द्वारा हुई है । अब वहां पर अगर इस तरह से नियुक्तियां होती हैं और लोगों को पेंशन भी मिलती हैं और तनख्वाहें भी मिलती हैं तो सरकार को उधर दृष्टि करनी चाहिये और इस खराबी को दूर कर देना चाहिये । जो पक्के मुलाज़िम हैं और जिन्होंने कि वर्षों काम किया है उनको हर किस्म की सहूलियत देनी चाहिये और उनकी मुक़र्ररी (नियुक्ति) पक्के तरीक़े से करनी चाहिये लेकिन जो ऐसे ही मुक़र्रर किये गये हैं जिनकी कि मियाद वैसे ही खत्म होने वाली है या जो रिटायर्ड हैं और जिनको पेंशन भी मिलती हैं और तनख्वाह भी मिलती है, तो दोनों तरफ से उनको नहीं मिलना चाहिये । जो न्याय और क़ानूनी तौर पर सही हो उसके मुताबिक़ हमें काम करना चाहिये ।

तीसरी चीज़ मैं इंडस्ट्रीज़ की बाबत यह कहना चाहता हूं कि दो तीन किस्म की इंडस्ट्रीज़ चल सकती हैं । जहां तक बड़ी इंडस्ट्रीज़ का ताल्लुक़ है मैं पंडित ठाकुर दास भार्गव की इस बात को मानता हूं कि शायद बड़ी इंडस्ट्रीज़ सरकार के लिये काफी तादाद में खोलना मुश्किल है लेकिन जैसा कि उन्होंने सरकार को यह सुझाव दिया कि उसको स्मॉल स्केल इंडस्ट्रीज़ (छोटे पैमाने के उद्योगों) की तरफ ज्यादा तवज्जह देनी चाहिये और उनको पापुलराइज़ (लोकप्रिय) करना चाहिये ताकि इस तरह के छोटे छोटे धंधे चल सकें और वे लोग हमेशा के लिये रोज़गार पा सकें और अपना गुज़र बसर कर सकें ।

मैं इस मौके पर ज्यादा समय नहीं लेना चाहता फिर भी मैं मिनिस्टर साहब से यही कहूंगा कि मैं चाहता हूं कि वे उन दुखी और मुसीबतज़दा भाइयों को आराम पहुंचाने और उनकी तकलीफों को दूर करने के लिये जितने भी रुपये की ज़रूरत हो उसको सर्फ करने में न हिचकें, यह तो सही है कि वह लातादाद रुपया नहीं खर्च कर सकते और वे उतना ही खर्च करेंगे जितना कि उनकी जेब में होगा लेकिन वह हमेशा उन लोगों के साथ हमदर्दी का रवैया बनाये रक्खें ।

चूंकि इस बिल की सीमा महदूद (सीमित) है, मैं बहुत बातों में नहीं जाना चाहता । ताहम मैं इस मौक़े पर उल्हासनगर में जो एक काफ्रेंन्स हुई थी और जिसमें कि बहुत से रेज़ोलूशंस (संकल्प) पास हुये

थे और आपको वे प्रस्ताव भेजे गये थे और बतलाया गया था कि वहां की हालत बड़ी दर्दनाक है और उसके लिये आपने कुछ अफ्सरान को भी भेजा था लेकिन अभी तक जैसा काम होना चाहिये था नहीं हो पाया है और मैं चाहता हूं कि उधर मिनिस्टर साहब फौरन ध्यान दें । वहां पर बिजली पहुंचाने के बारे में भोंसले साहब ने बड़ी कोशिश की और बड़ी रियायतें भी दी थीं लेकिन अभी तक वह काम नहीं हो पाया है । मेरी शिकायत यह है कि इस तरह के इमदादी कामों में इतनी ज्यादा देर नहीं लगनी चाहिये और जब हम ऐसे कामों में वर्षों लगते देखते हैं तो यही कहना पड़ता है : "ता तिरयाक अज्उराक़ आवर्दा शबद मारगुज़ीदह मुर्दाशिवद", जिसका कि मतलब यह हुआ कि जब तक दवा आये तब तक मरने वाला मर जाता है, तो ऐसा नहीं होना चाहिये और तेजी और जल्दी से और हमदर्दी के साथ यह काम होना चाहिये । मैं और ज्यादा न कर कर इस बिल का समर्थन करता हूं ।

Shri M. K. Moitra (Calcutta North West): Sir, I rise to support this Bill. While supporting this Bill, it strikes me that when the Government with its paraphernalia of a legal department formed the old Faridabad Board, it escaped their notice that they had formed a Board which could neither sue nor be sued. I do not know how such a loophole could find its place in this.

Government have got a big Legal Department and whenever such a body is constituted they should see that that body should be capable of suing and being sued.

Mr. Deputy-Speaker: Such Corporations should be body corporate.

The Minister of Rehabilitation (Shri Mehr Chand Khanna): The hon. Memmer is referring to the past body.

Shri K. K. Basu (Diamond Harbour): Money has already been spent.

Shri M. K. Moitra: But they have set up such a Board that it can neither be sued nor sue.

Mr. Deputy-Speaker: We are thinking of the past mistakes in order to be more careful for the future.

Shri M. K. Moitra: I am just pointing these out to Government.

Previous speakers have welcomed the Bill and have suggested that more such corporations should be established in other places also. The House knows that this problem of refugees remains a sorrowful chapter in our history. These refugees had to leave their hearth and home and had to come here; all of us know the troubles they had to undergo for settling themselves here. They had to run from pillar to post and post to pillar for some help for rehabilitation and I must say that the help given to them was not sufficient.

Mr. Deputy-Speaker: Is it intentionally that they had to run from post to pillar, while normally one runs from pillar to post?

Shri M. K. Moitra: I am glad that you interrupted: in the case of the refugees it is the reverse.

Mr. Deputy-Speaker: That is exactly what I wanted to know, whether it was deliberate, the reversal of the normal course.

Shri Mehr Chand Khanna: The difference is between East and West.

Shri M. K. Moitra: I am coming to the East.

While welcoming the Faridabad Corporation Bill, I wish that some such Corporation Bill for the refugees from East Pakistan should have been brought before the House simultaneously with this Bill. About sixty lakhs of refugees have come from East Pakistan; several townships have been formed, such as Habra, Taherpur and Fulia but no such corporations have been set up. You know how the affairs of these townships are managed. The refugees have to make

repeated visits to Auckland House for loans, only to be negatived at last. They go there day after day for help and at last their applications are refused. If only such corporations had been established in localities where refugee townships have sprung up, their condition would have somewhat improved and they would have got an opportunity to rehabilitate themselves by taking to industries.

I am glad of the measures proposed to be taken under this Bill to rehabilitate the refugees. It is necessary that new industries should sprung up to help them to rehabilitate themselves. I except to hear from the hon. Minister that such steps will be taken for the refugees of East Pakistan also.

Coming to the Bill before the House, the Statement of Objects and Reasons says that Government want to set up an autonomous body. I have scanned through this Bill, but do not find even an iota of that autonomy. I would in this connection refer the House to subclauses (1) and (2) of clause 5.

> "(1) The term of office and conditions of services of the Chairman and other members shall be such as may be prescribed;
>
> (2) The Chairman or any other member may resign his office by writing, etc."

Clause 4 says—

> "The Corporation shall consist of a Chairman and such other members being not less than four and not more than eight, as the Central Government may, by notification in the Official Gazette, appoint."

So it is clear from clause 4 that the Government will appoint the members of the Corporation; there is no elective measure introduced. While Government professes to convert this society into a socialist pattern of society, we would expect in the measures brought forward by them provisions which would encourage the early realisation of that goal. Where is the process of democratisation here? Government takes the responsibility of appointing all the members of the Corporation. How will they be appointed? It has not been stated. Probably they will be nominated, may be from among the refugees, may be from among officials. This has not been clearly stated here. We would like to know from Government whether they would introduce some sort of democratic measures, some sort of elective measures, so that the representatives of the refugees may find some place in the Corporation.

Then Government have made provision for appointment of an Administrative Officer in clause 12.

> "There shall be an Administrator of the Corporation who shall be appointed by the Central Government."

What will be his relation with the Corporation? Will he be a super-Chairman, or a super-official, who will control this Corporation? This has not been stated in this Bill. And so much undefined powers have been given to this Administrator that it will never help Government in developing the socialist pattern of society.

Mr. Deputy-Speaker: The hon. Member complained of autonomy ingrafted into that body and he now complains of too much power being given.

Shri M. K. Moitra: I did not complain of autonomy. I said that the Statement of Objects and Reasons says that it was the intention of Government to set up an autonomous body. They have brought forward this Bill to set up a statutory body, but have not taken any step to democratise it. That was what I was pointing out.

Shri Mehr Chand Khanna: May I draw the attention of the hon. Member to clause 2(e)?

Shri M. K. Moitra: Clause 2(e) says—

> "(e) "prescribed" means prescribed by rules made under this Act."

Who will make the rules? That is what I want to know from the hon. Minister. We are also interested to know whether in the rules any elective measures would be provided.

Now I come to the question of audit. Clause 25(2) says—

> "The accounts of the Corporation shall be audited at such times and such manner as may be prescribed."

It is not clearly mentioned in the Bill, who will appoint these auditors or who will be the auditors. Will the Corporation appoint some private auditors to audit their accounts, or will they be audited by Government? We want that this audit should take place under the control and supervision of the Auditor-General of India, because it will be almost a Government body and its accounts should be audited under the supervision of the Auditor-General.

Now, clause 24 says—

> "The Corporation shall prepare in such form and at such time each year as may be prescribed an annual report giving a true and full account of its activities, etc., etc."

We would press that this report should be placed before Parliament so that Members of Parliament may get an opportunity to know how this new Corporation is being worked and how many refugees have been rehabilitated and what help they have given to the refugees to rehabilitate themselves. We are anxious to know these things. We would like to hear from the hon. Minister whether he is prepared to place the annual reports before the House.

I will voice my support to the suggestion made by Pandit Bhargava that the employees who have been working in the Board should be taken over by the new corporation. He has very nicely pointed out that the object of the Bill is to rehabilitate the refugees and that it is necessary that the officers and employees now working on the board should not be retrenched or left in the lurch. We know the condition of the insurance workers. After the Insurance Corporation has been formed, the salaries of the insurance workers have been reduced. That example should not be followed here. Only very few have been working here and their service conditions and emoluments should not be adversely affected. With these suggestions, I support this Bill.

श्री नन्द लाल शर्मा :

नमोऽस्तु रामाय च लक्ष्मणाय
देव्यै च तस्यै जनकात्मजायै ।
नमोऽस्तु रुद्रेन्द्र यमानिलेभ्यो
नमोऽतु चन्द्रार्क मरुद्गणेभ्य : ।।

माननीय उपाध्यक्ष महोदय, फरीदाबाद विकास निगम के सम्बन्ध में जो विधेयक आज इस सदन के सम्मुख उपस्थित हुआ है मैं उसका स्वागत करता हूं । मुझे प्रसन्नता है कि हमारे पुनर्वास मंत्रालय को आज यह चिन्ता हुई कि फरीदाबाद का प्रबन्ध ठीक तरह से नहीं हो सकता और उसका प्रबन्ध ठीक किया जाना चाहिये । यह भी मैं मानता हूं कि उत्तरदायित्व जिन के कंधों पर होता है उनकी अपनी कठिनाइयां होती हैं और जो टीका टिप्पणी करने वाले होते हैं वे बड़ी आसानी से टीका टिप्पणी कर देते हैं । उनकी भी अपनी कठिनाइयां होती हैं जिस के कारण वे ठीक तरह से प्रबन्ध नहीं कर पाते । लेकिन कई वर्षों के बाद आज उनको इस बात का ध्यान आया कि वहां का प्रबन्ध ठीक तरह से नहीं हो रहा है और उन्होंने फरीदाबाद डिवेलेपमेंट कारपोरेशन के नाम से यह विधेयक यहां उपस्थित किया है । यह तो भविष्य ही बतायेगा कि इस कारपोरेशन के स्थापित होने के बाद फरीदाबाद के निवासियों का कष्ट दूर हुआ है या नहीं

[श्री नन्द लाल शर्मा]

परन्तु जैसा कि अभी गिडवानी जी ने कहा कि फरीदाबाद ही नहीं और भी कितने ही टाउनशिप्स हैं जहां के निवासी दुखी हैं और उनके दुख दूर करने की भी कोशिश होनी चाहिये । मैं तो सरकार की उस नीति से ही असहमति प्रकट करता हूं जिसका अनुसरण करते हुये जहां जहां उसने उत्पीड़ितों को बसाया वहां वहां उसने इस बात का कोई ध्यान नहीं रखा कि वहां उनके खाने पीने का भी कोई साधन उपलब्ध होगा या नहीं । जहां जहां भी टाउनशिप्स बसाये गये हैं उनमें प्रयत्न यह किया गया है कि किसी कारण से अथवा किन्हीं कारणों से कि इनको बस्तियों से दूर जा कर बसाया जाये । इसका परिणाम यह हुआ है कि इन उत्पीड़ितों के पास उतना धन नहीं है अथवा इतना बल नहीं है कि वे बार बार नगर में आ सकें और वहां पर ऐसी कोई इंडस्ट्री नहीं है जहां पर काम करके ये लोग अपनी आजीविका चला सकें । फरीदाबाद में यही समस्या आपके सामने उपस्थित हुई । वहां पर जिन लोगों को बसना था वे बस तो गये लेकिन उनके पास कोई साधन नहीं थे और रोटी कमाने का कोई जरिया नहीं था । रहने के लिये उनको मकान तो दे दिये गये लेकिन अभी तक यह नहीं निश्चय हो सका कि वे लोग खायें क्या ? यद्यपि वहां पर दो चार इंडस्ट्रियल केन्द्र, औद्योगिक केन्द्र, स्थापित करने का प्रयत्न किया गया, बाटा आदि ने भी वहां पर अपना कार्य आरम्भ किया, परन्तु इससे समस्या सुलझ न सकी और आज इस कारपोरेशन को स्थापित करने की आवश्यकता पड़ी ।

अभी आपने हमारे बन्धु से यह बात सुनी और मैं इस बात पर विशेष बल देता हूं कि कारपोरेशन के सम्बन्ध में यह निश्चत नहीं किया गया है कि उसमें कुछ निर्वाचन का अधिकार रहेगा या नहीं । जहां तक मुझे याद पड़ता है कि वोटिंग सिस्टम (मतदान प्रथा) तो चल रहा है और एडमिनिस्ट्रेटर (प्रशासक) जिसे एग्जेक्टिव आफिसर (कार्यकारी अधिकारी) बनाया गया है उसको वोटिंग का अधिकार तो नहीं दिया गया परन्तु जो एग्जेक्टिव आफिसर होगा उसके क्या क्या अधिकार होंगे इसके बारे में यहां पर कोई भी बात निश्चित रूप में नहीं कही जा सकती है । इतना ही इसमें कहा गया है कि वह कमेटियों में भाग ले सकेगा परन्तु वोट नहीं दे सकेगा । इसके आगे क्या क्या कार्य कर सकेगा इसके बारे में कोई निश्चित सी बात नहीं कही गई है । मैं निवेदन करता हूं कि जैसे यह सुझाव दिया गया है कि उत्पीड़ितों को भी उसमें प्रतिनिधित्व दिया जाये, इसको मान लिया जाये । मैं यह भी चाहता हूं कि इस कारपोरेशन में पार्लियामेंट का भी यदि प्रतिदिधित्व दिया जाये तो यह भी अनुचित नहीं होगा ।

पुनर्वास मंत्री (श्री मेहरचन्द खन्ना) : यह प्रतिनिधि कोहाट का हो या पेशावर का ?

श्री नन्द लाल शर्मा : मैं यह नहीं कहता कि कोहाट का हो या पेशावर का हो । जो भी वहां पर रहता हो और जिसका उनके साथ सम्बन्ध हो उसको ले लिया जाय ।

लाला अचिन्त राम (हिसार) : दोनों ही हो जायें ।

श्री नन्द लाल शर्मा : इस बारे में मैं कुछ नहीं कहना चाहता । मैं तो केवल इतना ही चाहता हूं कि सिद्धान्त तय हो जाने चाहिये कि संसद् का भी उसमें एक प्रतिनिधि होना चाहिये ।

एक दूसरी बात की ओर भी मैं संकेत करना चाहता हूं । अभी हमारे गिडवानी जी ने कुछ वैयक्तिक संकेत किये । मैं उन वैयक्तिक संकेतों से सहमत नहीं हूं । मैं ये साफ कह देना चाहता हूं कि अभी तक उत्पी-

ड़ित व्यक्तियों का विश्वास श्री खन्ना साहब से उठा नहीं है । उनको खन्ना साहब से बड़ी आशायें हैं । परन्तु एक चीज तो मैं कहे बिना रह नहीं सकता और वह चीज केवल इन्हीं के डिपार्टमेंट (विभाग) पर लागू नहीं होती बल्कि समस्त गवर्नमेंट डिपार्टमेंट्स पर लागू होती है । यह एक ऐसी बीमारी है जो सब डिपार्टमेंटस में पाई जाती है । उत्पीड़ित बेचारे हमारे पास रोते हुए आते हैं और अपनी कहानी आकर सुनाते हैं । वे आफिसिस में जाते हैं, चैक तैयार होता है फाइनल सिगनेचर (हस्ताक्षर) नहीं होते । क्लार्क अपने पास किन्हीं कारणों से उसे अपने पास रख छोड़ता है और इन लोगों को परेशानी का सामना करना पड़ता है । मैं चाहता हूं कि भोंसले साहब अथवा खन्ना साहब जो भी यहां पर हों, क्योंकि इनमें से एक बाहर रहता है, वह अपने मारेल इनफ्लएंस (नैतिक प्रभाव) से, अपने नैतिक प्रभाव से सब प्रकार से काम लें, कि इन बेचारे उत्पीड़ितो को और विशेषकर उनको जो प्रभावशाली नहीं हैं, जो पैसे वाले नहीं हैं और जिन को कोई भी व्यक्ति परेशान कर सकता है जिन को चपड़ासी भी अन्दर जाने नहीं दता है और जिनके सारे काम चौपट पड़े रहते हैं परेशानी न हो । जो पैसे वाले हैं, जिन के कोई सम्बन्धी वहां पर काम करते हैं, जो प्रभावशाली हैं उनको तो किसी प्रकार का कष्ट नहीं होता है परन्तु यही वे लोग हैं जिनको कष्ट होता है ।

फरीदाबाद की पिछली परिस्थिति क्या रही है । मैं समझता हूं कि चूंकि वहां पर कठिनाइयां अनुभव की गई हैं, इसलिये कारपोरेशन बनाने का प्रयत्न किया जा रहा है । आपने स्वयं कहा है कि उस बोर्ड की कोई लीगल एंटिटि (वैधानिक अस्तित्व) नहीं थी । इसलिये इस कारपोरेशन को एक लीगल परसन के रूप में स्थापित किया जा रहा है । यह सब कुछ होते हुये भी मैं फिर कहता हूं कि इससे यह निश्चित रूप से पता नहीं चलता है कि आगे क्या होने वाला है, उनके भाग्य में क्या क्या परिवर्तन होने जा रहे हैं । यदि आपके इस परिवर्तन से सचमुच उनके भाग्य में परिवर्तन हुआ तो मुझ से बढ़ कर कोई भी ऐसा व्यक्ति न होगा जो इससे प्रसन्नता अनुभव न करे ।

आपने इसमें कहा है कि आप साढ़े तीन करोड़ रुपया लोन (ऋण) के रूप में बोर्ड को दे चुके हैं । इससे आगे जब मैं देखता हूं तो मुझे पता चलता है कि लगभग २८ लाख रुपया भी रिकरिंग एक्सपेंडिचर (आवर्ती व्यय) के रूप में एडवांस (पेशगी) करने का गवर्नमेंट इरादा रखती है । मैं समझता हूं कि ऐसे टाउनशिप के लिये जहां कि इंडस्ट्रियल डिवेलेपमेंट, (औद्योगिक उन्नति) करने की इतनी ज्यादा सम्भावनायें हों, वहां के लिये इतना रिकरिंग ग्रांट (अनुदान) अधिक न होगा ।

मैं समझता हूं कि हर उस उत्पीड़ित की जो कि भारतवर्ष में कहीं भी बसा हुआ है और उत्पीड़ित की नहीं हर उस व्यक्ति की जो इस परिस्थिति में भारतवर्ष में रह रहा है और दुखी है, उसको रोजी देने का उत्तरदायित्व सरकार के ऊपर आता है और उसकी सहायता करना सरकार का कर्तव्य है । परन्तु यह तर्क फरीदाबाद के विरुद्ध नहीं हो सकता है । इसलिये मैं हृदय से इसका समर्थन करता हूं और ईश्वर से प्रार्थना करता हूं कि वह पुनर्वास मंत्रालय को बल दे कि वह वास्तविक सहायता उत्पीड़ितों को पहुंचाने के काबिल हो सके ।

सेठ अचल सिंह (जिला आगरा—पश्चिम) : उपाध्यक्ष महोदय, फरीदाबाद डेवेलपमेंट कार्पोरेशन स्थापित करने के उद्देश्य से जो बिल इस सदन में प्रस्तुत किया गया है, मैं उस का स्वागत करता हूं । पार्टीशन (विभाजन) के पश्चात् कई सालों से हमारे हजारों पुरुषार्थी भाई वहां रह रहे हैं । चूंकि वहां पर उन को पूरा काम-धंधा

[सेठ अचल सिंह]

नहीं मिलता है, इसलिये सैकड़ों पुरुषार्थी दिल्ली में काम करने के लिये लाये जाते हैं। इस तरह उन को यहां लाने ले जाने में काफी खर्च होता है। इन परिस्थितियों में अगर वहां पर एक कार्पोरेशन स्थापित हो जाती है, तो वह वहां पर ट्रेड (व्यापार), इंडस्ट्रीज (उद्योग) और बिजनेस (व्यवसाय) को काफी प्रोत्साहन दे सकती है। इस सम्बन्ध में मैं कुछ सुझाव माननीय मंत्री की सेवा में रखना चाहता हूं।

मेरा पहला सुझाव यह है कि कार्पोरेशन को वहां पर विशेष ज्ञान रखने वाले व्यक्तियों की सहायता से विभिन्न कारखाने स्थापित करने चाहिये। मिसाल के तौर पर लुधियाना में लूम इंडस्ट्री (करघा उद्योग) बड़ी जबर्दस्त है। हजारों आदमी उससे जीविका पाते हैं और एक आदमी लगभग तीन, चार, पांच रुपये प्रति दिन कमा लेता है। वहां से इस इंडस्ट्री के दो चार जानकार आदमी लाये जायें और उन की सहायता से को-आपरेटिव बेसिस पर लूम के कारखाने खोले जायें। उस में सैकड़ों आदमियों को काम मिल सकता है।

मेरठ के गांधी आश्रम ने कई प्रकार के काम शुरू कर रखे हैं और वह बहुत बड़े पैमाने पर काम कर रहा है और हजारों व्यक्तियों को रोजी दे रखी है। अगर उस को कुछ सहायता दी जाय और उस को फरीदाबाद में अपनी एक ब्रांच (शाखा) खोलने के लिये कहा जाय और वह वहां अपना काम शुरू कर दे, तो हजारों स्त्री पुरुष काम पर लग सकते हैं। खादी के सम्बन्ध में भी काम जैसे धुनना, कातना, बुनना, छपाई वगैरह तरह तरह के काम आज मेरठ में किये जा रहे हैं, जिससे मेरठ के हजारों आदमियों को खाने को मिलता है।

वहां पर लोहे की ढलाई—कास्टिंग की इंडस्ट्री भी चलाई जा सकती है। आगरा में उस के सैकड़ों कारखाने हैं। फरीदाबाद में यह काम कोआपरेटिव सोसायटी स्थापित कर के या दो चार कारखाने वालों को लोन और दूसरी सहायता दे कर शुरू किया जा सकता है। कुछ सहायता मिलने पर आगरा के कुछ आदमी फरीदाबाद आ सकते हैं और दूसरे लोगों को यह काम सिखा सकते हैं। चूंकि दिल्ली नजदीक है और यहां पर एक बड़ी मार्केट है, इसलिये वहां पैदा किये गये माल की खपत आसानी से हो सकती है।

आज पलवल और बल्लभगढ़ इत्यादि में गल्ले की बड़ी मंडियां हैं। अगर व्यापारियों को मकान, दुकान और दूसरी फैसिलिटीज (सुविधायें) दी जायें, तो वहां पर गल्ले की एक मंडी स्थापित हो सकती है और सैकड़ों हजारों आदमियों की आजीविका की समस्या हल हो सकती है।

इस प्रकार बिजिनेस, ट्रेड और इंडस्ट्रीज वहां पर स्थापित हो सकती हैं, क्योंकि गवर्नमेंट काफी रुपया कार्पोरेशन को देने जा रही है। जब उद्योगपतियों को व व्यापारियों को क़र्ज़ा, ज़मीन, बिजली, पानी और दूसरी फैसिलिटीज मिलेंगी, तो सैकड़ों कारखानेदार व व्यापारी वहां पर आ जायेंगे और फरीदाबाद के लोगों की आजीविका की समस्या हल हो जायेगी। मैं समझता हूं कि फरीदाबाद तो एक छोटी सी बस्ती है, यह नीति अपनाने से तो बड़ी से बड़ी आबादी की आजीविका का प्रश्न हल हो सकता है।

इन शब्दों के साथ मैं इस बिल का स्वागत करता हूं और आशा करता हूं कि मंत्री महोदय खास खास कामों को जानने वाले आदमियों की सहायता लेंगे और उन को फैसिलिटीज देंगे। इस प्रकार वहां की बेकारी दूर होगी और आज कल जो लाखों

रुपये सालाना खर्च करने पड़ते हैं, वे बच जायेंगे और पुरुषार्थी भाई भी अपने पांव पर खड़े हो सकेंगे ।

[PANDIT THAKUR DAS BHARGAVA *in the Chair*]

Shri B. K. Das (Contai): Mr. Chairman, Sir, as we see here, the proposed Corporation has to function as a municipal body as well as a trading body It is intended that it will carry on and promote trade, business and industry for assisting the displaced persons in finding gainful employment. For this purpose a large sum of money has been already placed in the hands of the Development Board. As this Corporation is to take the place of that Board, it will also have to carry on that responsibility.

We find in clause 18 that the Corporation shall repay the amount of capital provided under section 15 and all loans advanced under section 16 with interest. Therefore, I think the Corporation will have to function more as a business concern than as a municipal body, otherwise it will not be possible for the Corporation to carry on its responsibility and ultimately repay such a heavy amount that has been placed at its disposal. Hitherto, as has been pointed out already by several speakers, the liability of the Development Board has been very high. We find that the industrial concerns or the business concerns from which some income will accrue to this Corporation are not running at a profit. If I may refer to the working of the Power House, I find that in 1952-53 the income was Rs. 2,57,288 and its expenditure was Rs. 4,74,877. In the next year, that is in 1953-54 the income was Rs. 2,38,216 and the expenditure was Rs. 6,99,550. I am quoting these figures from a reply given by the Minister for Rehabilitation on 27th April, 1955. I have not got the other figures with me. We find that the loss incurred in 1952-53 was roughly Rs. 2,17,000, but the loss was more than double next year when it came to Rs. 4,61,000. I do not know what is the exact position now.

If this Corporation has to function more as a trading body, which will be saddled with the responsibility of making repayment of the capital placed at its disposal, I do not know whether it will be possible for a Corporation of this kind to bear that responsibility. I would rather prefer that this Corporation should have its functions separate. It might, as an administrative body looking after the municipal needs of the Faridabad settlement, carry on certain kind of responsibility. But, if it has to be successful as a trading concern, or as a body which will itself carry on trade and business with a view to earn some profit so that it may be able to repay the money placed at its disposal by the Government, then I think it should have a whole-time man and a staff of officers who are specialists in that line and who will be able to function in that way.

Here we find that the Chief Executive Officer is the Administrator and, probably, that Administrator will be a man of general administrative experience. He may not have that business experience by which such a Corporation, which will have such a heavy responsibility, will be able to repay the money that has already been placed at its disposal. I am not sure what items at present will be considered as capital expenditure which the Central Government will treat as capital provided to the Corporation. I am not sure what that amount will be. But I should think that it will be something like Rs. 4 crores. That has been the non-recurring expenditure so far and, as stated in clause 15, all non-recurring expenditure incurred by the Central Government and declared as capital by the Government will be the responsibility of the Corporation.

The other day, the hon. Minister said while moving the motion that further loans would be advanced to this Corporation during the coming years. I am not sure what that amount will be. If we take that amount to be something like Rs. 5 crores in total, I do not think that the Corporation, in the

[Shri B. K. Das.]

way it is intended to function in this Bill, will be able to carry on its responsibilities. Of course, the Development Board which has been functioning for these long years has tried its best to do all that is possible for the refugees. Though the position may not be completely satisfactory, still, I should think that in comparison to other places, Faridabad is doing better. But it is a difficult matter to provide shelter, gainful employment, etc. to the refugees so that they can be completely rehabilitated. But this attempt has been a good one, and everybody looks to Faridabad for an example, so that it may be copied eleswhere also.

From that point of view, the establishment of this Corporation in the place of the Board, with statutory authority, is quite welcome. But my doubt is that the functions with which this Corporation is saddled and the functions which it will have to carry out will be much more than its equipment. So, I think that the Corporation should be manned in such a way and should have such powers as will enable it to fulfil the business side of it.

With these words, I welcome this Bill.

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): Mr. Chairman, perhaps an impression might have been created in the minds of the hon. Members of this august House by one or two Members who went to the extent of saying that we are spending much more on Faridabad than on other townships. What they have said is not correct. I would later on point out that what we are spending on Faridabad per family is much less than what we are spending in other places So far as the Ministry of Rehabilitation is concerned, we make no discrimination towards the refugees whether they come from the North-West Frontier, or from Sind or from Punjab or from the East. They are all the same, and the Government goes into the question of their rehabilitation in a manner that is appropriate. According to the particular situation and according to a particular place, the expenditure incurred may be a little more or a little less, but certainly there is no discrimination whatsoever so far as the refugees as a whole are concerned.

Unfortunately, my hon. friend Shri Gidwani has given rather a wrong impression to the House saying that the Government has so far spent Rs. 7 crores. Actually, I must say that it is not his fault. The wording in the book which we have issued should have been corrected. It should read as follows:

> "The Faridabad Development Board is being given a recurring grant of about Rs. 28 lakhs per annum with effect from 1st October, 1952 to meet the expenditure on municipal services, health, eduaction, cash doles to the inmates of the Women's Home, infirmary, relief camps, etc., which may be installed to provide temporary employment for the unemployed adults of Faridabad".

It should not have been left blank after the words "per annum".

Therefore, I would like to make it clear, as I said the other day, that so far, the Government have advanced a sum of Rs. 372 lakhs only, and the actual amount advanced as loan to the Board is Rs. 252 lakhs. The balance of Rs. 120 lakhs is made up as follows: Expenditure on technical institute, Rs. 38.58 lakhs. On that, I must say that the Government has lost somewhere in the neighbourhood of Rs. 20 lakhs. This was also magnified a little. Loans to I.C.U. works out to Rs. 24 lakhs, and out of this amonut, the Government has lost roughly Rs. 8 lakhs and not a sum of Rs. 24 lakhs as was said in the House earlier. The stock suspense of Rs. 16 lakhs need not be accounted because this is an amount which is adjusted and it is in the hands of the administrator to be spent as a ways and means advance for the purchase of construction material, etc. The establishment

charges work out to Rs. 14.63 lakhs. The bonus to the workers come to Rs. 16.60 lakhs. The amount of revenue deficit on the Power House comes to about Rs. 9.95 lakhs. All this works out to about Rs. 120 lakhs. There is another amount of Rs. 18 lakhs which we have spent on the construction of schools, hospitals and other useful amenities to be provided in the township. So, in all, the Government has advanced a sum of Rs. 234 lakhs to the Faridabad Board. This is in liquid assets and it will form part of the pool.

Lala Achint Ram: Have you paid anything for education?

Shri J. K. Bhonsle: Yes; separately. It has come to about Rs. 13 lakhs.

Shri Mehr Chand Khanna: We are doing it all over.

Shri J. K. Bhonsle: Basic education is free everywhere. This amount, *viz.*, Rs. 252 lakhs, has been spent on the construction of houses, as I said the other day, 5.158 houses, 133 shops, 150 nissen huts and other construction, acquisition, etc., all these come under this amount of Rs. 252 lakhs.

Shri B. K. Das: Are the Board responsible for all these?

Shri J. K. Bhonsle: Yes.

Now, having given these figures, I might also point out another aspect. Both my hon. friends, Shri Gidwani and Lala Achint Ram, brought out the fact that we are spending much more on Faridabad than on any other township.

Lala Achint Ram: I have not said that.

Shri J. K. Bhonsle: I am sorry. It may be Shri Gidwani. At the moment, in Faridabad, there are 23,000 displaced persons. We have spent, as I have said, Rs. 234 lakhs or, rather, including the expenditure on construction of schools and hospitals, Rs. 252 lakhs. Out of this, Rs. 18 and odd lakhs have to be deducted because that amount has been spent on schools, hospitals and office and other buildings. So, in all, the total amount comes to Rs. 234 lakhs and the figure per family works out to Rs. 4,680. In some of the other townships, we have, on the average, spent Rs. 5,500 and Rs. 5,100. So, it is not correct to say or imagine that Government or the Ministry of Rehabilitation is spending much more money on Faridabad than on other places. I can give the House one or two more examples, but unfortunately, we have not worked out those figures.

The point raised by my hon. friend Shri Gidwani was this. So far as Ulhasnagar is concerned, the Government has so far spent over Rs. 2 crores; but, we have not taken into consideration the land value of Ulhasnagar and the structures which were already there when we took over the camp. The area of the township is 7 square miles....

Shri Gidwani: It has a population of one lakh.

Shri J. K. Bhonsle: Officially the population is 90,00. All these things have been taken into consideration and it could not be correctly said that we are spending much more money on this township and much less money on the other township. We are prepared to work out the whole expenditure and prove to my hon. friend that there can be no question of any discrimination.

As far as industries are concerned, we are prepared to spend as much money as is necessary where the employment problem is very acute. There again, there can be no question of any discrimination. In the case of Faridabad, it may be pointed out that there are more industries, but they were started years ago. Unfortunately for Ulhasnagar, there are very few industrialists who are willing to come forward and set up industries. From that point of view, I would like to assure my hon. friend that if he thinks that Ulhasnagar has not been taken good care of, we shall be prepared to do our best, provided, of course that the industrialists come forward to set up industries there.

[Shri J. K. Bhonsle]

My hon. friend, Lala Achint Ram, referred to the employment question in Lajpat Nagar. The whole employment question is being examined in our Ministry and in the next Five Year Plan we are going to spend Rs. 11:22 crores on industries alone, having sanctioned schemes costing nearly Rs. 2·75 crores during the last five years. Out of Rs. 12 crores, we have set aside Rs. 7:5 crores for medium and small-scale industries and Rs. 3.72 crores for cottage industries. So far as medium-scale industries are concerned, our plans are very extensive. We are going to set up industries in West Bengal in the eastern region as well as in Bombay State, Delhi, Faridabad and in Rajpura and other places in Punjab, where there is very acute unemployment. We are always willing to accept suggestions from hon. Members to the effect that if they feel that in certain places where refugee concentration is very heavy industries should be set up, we are prepared to do so.

So far as the question of Lajpat Nagar goes, I would like to mention here that I am also very interested in it. We have earmarked a sum of Rs. 3.72 crores for cottage industries. This year, if I remember correctly, we have already distributed Rs. 100 lakhs to all the States according to their size for cottage industries. I am taking personal interest in this matter and, as suggested by Pandit Thakur Das Bhargava, we have brought Japanese technicians; we are also proposing to bring the machinery for bamboo works to be set up in West Bengal.

[MR. DEPUTY-SPEAKER *in the Chair*]

13-45 hrs.

Lala Achint Ram also mentioned that he did not like outsiders being brought in. As I have already said, we will be only more pleased if the refugees would take up this work themselves. I have already said that we had lost quite heavily so far as the co-operatives are concerned in Faridabad and even now if the displaced persons come forward, there can be no question of outsiders in preference to them.

Lala Achint Ram also made a reference that recovery of the cost of houses should not be made in four years. This has already been discussed in the House and the House passed that rule. I might say, in passing, that our compensation scheme is based on payment of assets in four years and if we do not recover this amount in four years, I am afraid that payment of compensation will have to be delayed much longer.

I have already answered Pandit Bhargava's plea that we are spending more than Rs. 5,000 per family in Faridabad. Actually we are spending much less than that. The Indian Co-operatives Union was given Rs. 24 lakhs and he thought that we had lost the whole lot of money. Actually the Government have sustained a loss of Rs. 8 lakhs. He also suggested that an assurance be given to the employees that their interests would be safeguarded. We would like to be kind to the refugees and we shall consider their case sympathetically. We will look into the individual cases. It might also be understood at the same time that there is over-employment, as my hon. friend Dr. Das suggested. The question of spending money over the townships has to be considered very carefully. From that point of view, we will go into each individual case and safeguard their interests.

It was also pointed out that the Minister gave an assurance two months ago that 600 houses would be allotted to displaced persons there. I do not think it is quite correct. I do not think the Minister ever gave that assurance. We are spending Rs. 5.5 lakhs on providing gainful employment to about 1,500 displaced persons. He suggested that instead of bringing them here, we

might introduce the dole system. We are trying to do away with the dole system. That is a very bad system of giving employment. I am sure that the refugees would be very proud in getting wages rather than doles. I do not think we should encourage this system at all.

I have answered Shri Gidwani's queries. My hon. friend, Shri Moitra, made a suggestion that the question of setting up a corporation in various townships in Bengal may be considered. We shall certainly examine this question carefully in consultation with the Government of West Bengal. He has also suggested that the annual report might be placed on the Table of the House. We have no objection in doing that; on a suitable occasion, the reports will be placed on the Table.

Seth Achal Singh suggested that industry and trade should be encouraged in other towns of Punjab. We are quite willing to examine this proposal. As I have said, where there is acute shortage of employment and very heavy concentration of refugees, Government will certainly encourage the setting up of industries in those areas.

My hon. friend Shri B. K. Das thought that there was too much loss in the electricity plant. It is not quite so. Although we spend Rs. 8 lakhs, somewhere in the neighbourhood of Rs. 3.80 lakhs are recovered. He fears that if the Government is to lose so much money every now and then on this plant, it will be difficult for the Corporation to be self-sufficient. It is not quite correct in a way because, now that we are setting up a number of industries—in all 23 industries are to be set up—all these industries certainly require electricity. We hope to be self-supporting before the end of the Second Five Year Plan. We are already self-supporting in water supply. As I said day before yesterday, we have made up the deficit of Rs. 30,000.

Mr. Deputy-Speaker: The question is:

"That the Bill to provide for the establishment and regulation of a trading Corporation for the purpose of carrying on and promoting trade and industry in the town of Faridabad, assisting in the rehabilitation of displaced persons settled therein and for matters connected therewith, be taken into consideration."

The motion was adopted.

Clause 2 to 16 were added to the Bill.

Clause 17— (*Vesting of property in the Corporation*)

Amendment made: Page 5, line 26—

add at the end:

"unless the Central Government otherwise directs in respect of any part of such property, assets or funds".

[*Shri J. K. Bhonsle*]

Mr. Deputy-Speaker: The question is:

"That clause 17, as amended, stand part of the Bill."

The motion was adopted.

Clause 17, as amended, was added to the Bill.

Classes 18 to 35 and the Schedule were added to the Bill.

Clause 1— (*Short title*)

Amendment made: Page 1, line 6—

for "1955" *substitute* "1956".

—[*Shri J. K. Bhonsle*]

Mr. Deputy-Speaker: The question is:

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause, 1, as amended, was added to the Bill.

Enacting Formula

Amendment made: Page 1, line 1—

for "Sixth Year" *substitute* "Seventh Year".

—[*Shri J. K Bhonsle*]

Mr. Deputy-Speaker: The question is:

"That the Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

Shri J. K. Bhonsle: I beg to move:

"That the Bill, as amended, be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

ADMINISTRATION OF EVACUEE PROPERTY (AMENDMENT) BILL

The Minister of Rehabilitation (Shri Mehr Chand Khanna): Sir, I beg to move:

"That the Bill further to amend the Administration of Evacuee Property Act, 1950, be taken into consideration."

The evacuee property law is an abnormal law. Its introduction became necessary on account of the extraordinary situation created as a result of the Partition. We have been anxious that this law should cease to operate as early as possible. We have taken a number of steps in this direction. In 1953, the provisions relating to intending evacuees were repealed and the procedure for confirmation of sales under section 40 was simplified. In May 1954, several important provisions of the evacuee law were relaxed in the interests of our Muslim nationals. The law itself was abrogated by enacting the necessary legislation, in October, 1954. No person can be declared as evacuee for any action of his after the abrogation of this law, and over two years have elapsed since.

The Ministry was, however, not content even after taking the above step. It was conscious of the fact that as long as the proceedings instituted under the evacuee laws were pending at various levels in the Custodian's organisation, the evacuee parties would remain in a state of uncertainty and suspense as to the outcome. To remove this sense of uncertainty, it was decided that the pending proceedings should be brought to an end with the minimum delay. Early termination of all judicial proceedings would also enable utilisation of these properties which are finally declared as evacuee for the payment of compensation to displaced persons. We have accordingly been keeping a close and continuous watch over the pace of disposal of these proceedings and have repeatedly urged on all officers of the Custodian's organisation to dispose of pending cases with a sense of urgency. They have also been instructed to take a broad and humanitarian view in deciding the case and not to be too narrow or legalistic. Satisfactory results have been achieved and the number of pending cases have been brought down from 90,000 in May, 1955 to about 25,000 at the end of September, 1956.

On a recent review of the working of the evacuee property law, we felt that the time had come when some of its provisions should be relaxed further. After considering the representations made on behalf of some Muslim organisations, certain

important decisions were taken to this end, and instructions issued to the Custodian in July, 1956. To give statutory effect to these instructions, and treating the matter as one of great urgency, Government promulgated the Evacuee Property (Amendment) Ordinance on the 22nd October, 1956. The present Bill is intended to replace the Ordinance.

An important provision of this Bill relates to the restoration of properties under section 16 of the Evacuee Property Act. In all, 9,000 applications for restoration have been received. In order to expedite their disposal, the machinery was overhauled and three Special Officers of the rank of District Judges have been appointed in the Ministry to deal with them quickly.

Over 5,000 applications have already been disposed of, and restoration of property worth Rs. 164 lakhs has been ordered. The remaining applications are expected to be cleared within the course of the next two months.

14 HRS.

Hitherto the procedure has been that after the restoration certificate is granted, the grantee has to make a further application to the Custodian and the latter restores the property only on being satisfied as to the applicant's title to the property. This procedure was cumbersome and resulted in delays, as enquiries had to be made by the Custodian at two stages. Now, according to clause 6 of the Blil, a separate application after the certificate has been granted to the applicant will no longer be necessary. This will expedite physical restoration of the property.

The figures regarding restoration which I have just quoted do not include nearly 20,000 families of Meos to whom nearly two lakh acres of agricultural land were restored in Bharatpur and Alwar districts. In cases where they were given their original holding, we are issuing a general notification under the Evacuee Property Act exempting them from the operation of the Evacuee Property law. In some cases, alternative lands were given because the lands owned originally had been allotted to others and were being cultivated by the allottees. The person entitled to the restoration of such properties will, under the provisions of the Displaced Persons (Compensation and Rehabilitation) Amendment Bill, which is before the House for consideration separately, be given alternative lands or cash compensation in lieu. These persons in whose favour restoration is ordered would, therefore, be assured of getting back their original property or other property or cash compensation in lieu.

We also propose to make some changes through this Bill, in regard to the powers of the Custodians and the Custodian-General, in respect of revisions and reviews so as to curtail the procedure and cause the least inconvenience to the affected parties and at the same time, ensure full justice to all concerned. The powers of revision of the Custodians, and the Custodian-General's powers of reviewing cases is being withdrawn. Ordinarily, now there will be only one appeal. Where the value of the property is up to Rs. 2,000 the appeal would lie to the Custodian. In the case of bigger properties, and where a point of law is involved in an appeal decided by the Custodian, the appeal will lie to the highest tribunal in the Custodian's organisation, *i. e.*, to the Custodian-General.

In the interest of our Muslim brethren, we have also given thought to the provisions of the Evacuee Interests Separation Act in which the nationals of India are involved as non-evacuees having an interest in evacuee properties. They are equally anxious that there should be clear demarcation of their interests from those of the evacuees. There were over 70,000 cases pending for disposal in May, 1955 and fresh claims were still being received. The number of pending cases has now been brought down to about 55,000 but this number is still very large and further efforts to expedite disposal are being made. We

[Shri Mehr Chand Khanna]

have recently simplified the procedure considerably and are considering whether changes in the law need to be made.

To the same end, we have decided that fresh notices under section 8(4) of the Evacuee Property Act should not be issued. This implies that persons who are in unauthorised possession of properties which had automatically vested in the Custodian will not be called upon to surrender possession. This will benefit thousands of occupants of agricultural lands in U. P. and Rajasthan, many of whom are Muslims.

In the matter of the restoration of mosques, the Ministry has been fairly active also. A number of mosques in Bharatpur and Alwar and in various towns of Punjab have been restored Government felt that in a matter of this kind it would not be desirable to wait for reciprocal action by Pakistan in so far as the temples and gurdwaras in Pakistan are concerned. We have, therefore, gone ahead on our own. Further, in the amending Bill, it has been provided that properties which had vested in the Custodian and which were in trust for a public purpose of a religious or charitable nature, should be returned after appointing new trustees for them. Under the existing provisions of the Evacuee Property law, the appointment of fresh trustees could only be made by civil courts. They will now be appointed by the Central Government and this would considerably quicken the process of the appointment of new trustees and the restoration to them of the properties vesting in the Custodian.

Government is anxious to ensure that the operation of Evacuee Property laws should not lead to a sense of insecurity amongst the minority community and that they should continue to live in the country peacefully and enjoy full right in their properties. From what I have stated, it will be clear that everything possible has been done to achieve this object.

In Pakistan, however, the treatment of the Hindus is entirely different. The Prime Minister of Pakistan suggested to our Prime Minister in 1953 when he visited Karachi that the operation of the Evacuee Property law should be suspended. We did this over two years ago. The least that any right-thinking person would have expected was that Pakistan, who had originated the idea would have taken the lead in this matter or would have at least abrogated their evacuee property law at the same time as we did in 1954. Years, however, passed and nothing happened in spite of my personal discussions with the Pakistan Ministers at Karachi and repeated communications to them. A few days ago I saw a brief press report that the Pakistan Government have now decided that no property or person should be declared as evacuee from 1st January, 1957. The reluctance of Pakistan to take such a step for all these years is surprising specially because practically all the Hindus and Sikhs from Punjab, Bahawalpur, N. W. F. P. and Baluchistan had come away to India immediately after partition and their properties declared as evacuee. Only a small number of Hindus had remained behind in Sind, after a large majority from that State also had come over to India in the early years of partition. I am glad, however, that the decision has been taken at last and I earnestly hope that the Custodians in Pakistan do not deprive the few remaining Hindu and Sikh property owners of their properties before the 1st January, 1957.

I would like to take this opportunity to mention one or two other matters which would reveal Pakistan's attitude on problems concerning the vast multitudes of unfortunate persons who suffered losses owing to partition. Several months ago the Secretary of the Pakistan Ministry of Refugees suggested that our Government should co-operate and provide facilities for the verification and assessment of the claims submitted by the refugees to the Pakistan Government.

We welcomed this step and assured Pakistan that we would be happy to co-operate. We suggested that the details may be discussed and settled between representatives of the two countries. It is our earnest desire to do whatever may be possible to mitigate the suffering of the displaced persons and we are at all times willing to discuss matters and arrive at a mutually satisfactory solution of the immovable property and any other problem concerning their welfare. Although six months have gone by, our offer of co-operation has not been replied to by the Pakistan Government though the suggestion first came from Karachi.

In matters concerning the movable property of refugees, Pakistan's attitude, I regret to say, is equally unhelpful. Agreement covering all kinds of movable property was concluded between the two countries in 1955 after protracted negotiations. That agreement too is not being satisfactorily implemented. A number of statements were due to be exchanged between the two countries as a prelude to the exchange of movables left behind by the displaced persons in the other country. While we have been ready with all our statements according to the time schedule mutually agreed upon, Pakistan keeps on postponing the dates for the exchange. Thousands of displaced persons in both Pakistan and India, who have been hoping to get their postal savings bank accounts, postal certificates, merchandise and valuables left in the lockers, bank accounts and the like are, therefore, feeling frustrated. The Implementation Committee which had been constituted to watch the implementation of the Movable Property Agreement has met only once so far. We proposed to Pakistan that all the pending statements, exchange of which had become due or overdue, should be exchanged at the next meeting of the Implementation Committee. The meeting which representatives of the two Governments had agreed to have on the 17th-18th September, 1956, at Delhi was postponed at the request of Pakistan. Pakistan then suggested that the meeting should take place at Karachi on 22nd—24th November. This date was readily accepted by the Government of India, though the sending of a delegation to Karachi during the Parliament session would have been inconvenient. Pakistan has, however, once again postponed the meeting and it is not known when it would be ready for it.

Pakistan may not be inclined to do anything to help the lakhs of Hindus and Sikhs who have left Pakistan already or the few that are still living there as Pakistani nationals, but to me it is incomprehensible that it should remain indifferent towards the proper implementation of the Movable Property Agreement which will bring substantial benefit also to the Muslim refugees in Pakistan.

Sir, I do commend the Bill to the House.

Mr. Deputy-Speaker: Motion moved:

> "That the Bill further to amend the Administration of Evacuee Property Act, 1950, be taken into consideration."

There is an amendment for reference of the Bill to a Select Committee by Pandit Thakur Das Bhargava.

Pandit Thakur Das Bhargava (Gurgaon): Sir, these two Bills, the Administration of Evacuee Property (Amendment) Bill and the other one Displaced Persons (Compensation and Rehabilitation) Amendment Bill are very much akin to one another. Section 16 which is sought to be amended in the one is also referred to in the other Bill. Both are alike not only in this provision but there are other provisions also of a like nature in both the Bills. For instance, the provisions relating to the law of limitation and the powers to be granted to executive officers instead of civil courts in so far as certain payments which are due from other people are to be realised. I should think that it would be better if you would allow me to move both the motions for reference to a Select Committee

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together. The personnel of both the committees are the same and the subjects are so inter-mixed that it is most difficult to deal with one Bill irrespective of what is contained in the other. If this procedure is acceptable, I would request you to allow.....

Mr. Deputy-Speaker: It would be difficult. Even when a motion has not been made with reference to the other Bill, how can I allow the amendment to be moved?

Pandit Thakur Das Bhargava: The difficulty can be obviated. I am proposing the same personnel for both the committees. The subjects are allied. If hon. Minister is agreeable, the difficulty can be obviated. If he is not agreeable, I will move this motion and then move the other one when the time comes.

Mr. Deputy-Speaker: We may have the same personnel for the second Committee also but the motion should be made separately, a second time. A speech may not be made a second time; it can be avoided. The hon. Member can make a speech now touching both the Bills but the motion would be regarding this Bill. I will permit the hon. Member to refer to both the Bills.

Pandit Thakur Das Bhargava: I will accept your advice and make one speech, so far as the common subjects are concerned and will reserve the other speech to the time when the next Bill comes.

Sir, I beg to move:

"That the Bill be referred to a Select Committee consisting of Lala Achint Ram, Shri C. P. Gidwani, Shri N. C. Chatterjee, Shri Mehr Chand Khanna, Shrimati Renu Chakravartty, Shri U. M. Trivedi, Babu Ramnarayan Singh, Shri D. C. Sharma, Sardar Iqbal Singh, Shri Basanta Kumar Das, Dr. Ram Subhag Singh, Shri M. L. Agrawal, Shri Hem Raj, Sardar T. S. Akarpuri, Shri B. P. Jhunjhunwala, Shri Ranjit Singh, Shri N. C. Kasliwal, Shri Krishnacharya Joshi, Shri J. K. Bhonsle, Shri Bahadur Singh and the Mover with instructions to report by the 1st December, 1956."

We have heard the speech of the hon. Minister and have come to know as to how things are moving in the two States, Pakistan and ours. I join the hon. Minister in whole-heartedly condemning the attitude of Pakistan in this matter. Our Minister went to Pakistan and then arrived at an agreement with the Pakistani authorities so far as the movables are concerned. To us, it is very sorry to note that, as a matter of fact, even that agreement is not being implemented. We know that not even one-thousandth part of the movables which belong to the people of this country is going to be recovered nor are the refugees going to be paid anything by way of compensation in respect of the movables. We know that all the shops in Lahore and other big towns were full of goods and not a pie is being paid by Pakistan to India. But, all the same, in a limited sphere, the two Governments arrived at a compromise. Even that compromise is not being followed. The savings, the bank accounts and the merchandise and all these things which the Government took from the refugees and probable refugees are not being compensated for or given in exchange as agreed. Not only this. If you look at the evacuee law, there is a world of difference between our evacuee law and the evacuee law of Pakistan. We know how the Pakistan Government linked their evacuee law with rehabilitation. To start with, they made a rule that for the purposes of rehabilitation of refugees there, the properties of the Hindus and Sikhs which were left there could be taken possession of and utilised. This was the thin end of the wedge and they struck off the agreement entered into between ourselves and them. They have taken possession of whatever evacuee property was remaining in Pakistan and then a few months back, we heard that in certain places in Sind, the Hindus were again squeezed out and their properties were taken

possession. I am very much afraid that there is no property left so far as Hindus and Sikhs are concerned. But that is by the way.

So far as our people and our Government are concerned, we are quite sure in our minds of what we do. We do not want to distinguish between the nationals of this country. We have offered all the facilities available to the citizens of this country to the minority communities. Whatever might have been left in 1954, this has been agreed to practically by the abrogation of the evacuee property law. All the same, I expected that the hon. Minister would give us certain figures regarding certain happenings: how much property was sold in these two years, 1954-56; how much out of these sale proceeds was taken away to Pakistan? He may remember that on 25th September, 1954, when the House was discussing this measure, many fears were expressed that perhaps property worth to the tune of Rs. 50 crores would be taken away. That might have been a conjecture. However, it would have been very good if he had given us figures as to how much had been sold and how much of it was taken away to Pakistan. If the fears were unfounded, then it is good. If they were well-founded, then we made a mistake. In enacting that measure, whatever may be the results, we are not sorry for it now.

Shri Mehr Chand Khanna: Am I to understand that he is trying to find out from me the property sold in India by the Muslim nationals after the abrogation of the Evacuee Property Act in 1954?

Pandit Thakur Das Bhargava: And also how much of the money was taken away to Pakistan.

The hon. Minister might remember that we were told that all the loopholes would be closed and all the avenues would be plugged so that the capital would not fly away from India to Pakistan. A perusal of the proceedings dated the 25th September 1954 would make him understand the full implications of what I am asking him today while he does not seem to understand. I said then and I say now that I am in favour of taking away all the inhibitions and obstacles from which my Muslim friends are suffering because of some restrictive provisions. At the same time I have said that so far as the Indian economy is concerned, it should not be disturbed. It was not I alone who said that. Many hon. Members expressed this fear and we were all very insistent that steps should be taken in this regard. That is why I expected from the hon. Minister the figures.

Kindly look to clause 16 of the old Bill. The history of this clause is known to many hon. Members. We know the Chatriwala case and many other cases and how these happened and how the Government was accused and how the Government defended itself. There was something like a clash between the powers of the Custodian General and the Government. Matters came to a head in 1954 and then we changed it. Many fears were expressed and when questions were asked at that time, the hon. Minister gave us certain assurances. On page 3283 of the proceedings of 25th November, 1954, some questions and the answers are given; they are in these words:

The hon. Minister, Shri A. P. Jain said:

> "I want to make it clear that section 16 does not give any power of entertaining appeals from the judgments of the Custodian General. Hon. Members may, I think with profit, read the provisions of rule 15(B) of the rules framed under the Administration of Evacuee Property Act....
>
> *Shri N. C. Chatterjee*: The new rules?
>
> *Shri A. P. Jain*: Yes... which lay down the conditions under which property can be restored under section 16. I shall refer to the main provisions.

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It includes firstly persons who have never gone to Pakistan. Secondly, persons who on or after 1st March, 1947, migrated from India to Pakistan, but returned to India before 18th July 1948 and have settled then. Thirdly, persons who left for Pakistan before 15th October 1952, on a temporary visit taking with them no objection certificate and returned under such and such conditions are also included.....

The Meos of Alwar and Bharatpur....."

Then, again, at a further stage, Shri Chatterjee asked him a particular question in the course of the debate. He said:

"I take it that the hon. Minister's view is—and that is the way he is going to administer the Act—that none of these applications will be allowed unless they conform to the provisions of section 15(d) (ii)."

The hon. Minister replied as the debate proceeded:

"Yes. That is what I am saying.

Shri N. C. Chatterjee: *Unless* they come within one of the conditions.

Shri A. P. Jain: That is the rule."

At that time we were assured that so far as the application of section 16 was concerned, it would have reference to these persons alone. Even there, a certificate had to be taken. Ultimately, there were two enquiries—the first enquiry and the second enquiry and after that, if the Custodian General found that a person was entitled to the property, then alone the property could be restored. In this amending Bill, the only changes made are these: two enquiries have been done away with. So far so good. I do not object. If there are two quiries by the same people, who, I think, are very just and will not go out of their way to show favouritism to this or that party, one enquiry is more than enough. At the same time, the procedure is to a certain extent simplified and it will make for expedition, which is to the interest of both parties. The position under section 16 today is this. It is just like the tick-ticky of Warren Hastings. If you beat one person and he wants to escape, the other person is beaten automatically. If you just take away some junk out of this pool, it is the refugees who suffer. If you do not allow the proper and right persons to have it—the owners—then, my other friends are affected. Therefore, I submitted then—I submit now—that I wanted a balance to be kept; it should be even and no favour should be shown to either party. We must do nothing but what is just. Now, I am astounded to find in the sister Bill that everything has been abrogated. The Government is assuming to itself powers which are unheard of, which are arbitrary and which we can never give to the Government as long as we have got heads over our shoulders.

I am referring to clause 6 of the Displaced Persons (Compensation and Rehabilitation) Amendment Bill, which seeks to insert a new section 20A. It reads in this way:

"Where any evacuee or his heir has made an application under section 16 of the Administration of Evacuee Property Act, 1950 (hereinafter in this section referred to as the Evacuee Property Act), and the Central Government is of opinion that it is not expedient or practicable to restore the whole or any part of such property to the applicant by reason of the property or part thereof being in occupation of a displaced person or otherwise, then,....."

That is not the only condition. "If the property or a part thereof is in occupation of refugees or displaced persons" is not the only one reason. It may be "otherwise" also. That

means all the possible reasons under the Heaven exist and numerous ways are open to the Government to take this action. Then what happens? It is said here:

> "notwithstanding anything contained in the Evacuee Property Act and this Act, it shall be lawful for the Central Government..."
>
> to transfer equivalent property or to transfer cash as it considers fit and just.

You will kindly see that in the Explanation also the certificate has been done away with. Even there I have not got much of objection. My objection is only this. According to section 16, according to the statement, which I have just read out, of the hon. Minister Shri A. P. Jain and according to the words which have fallen from the hon. Minister Shri Mehr Chand Khanna, it is only in proper cases, when the persons are really entitled, that the properties can be given. Yet, the Government takes powers, such powers as would entitle the Government to give away property to whomsoever it pleases without any sort of investigation, without any sort of enquiry.

Shri Mehr Chand Khanna: From where do you draw that conclusion?

Pandit Thakur Das Bhargava: The words are these: "notwithstanding anything contained in the Evacuee Property Act and this Act, it shall be lawful for the Central Government". I know it cannot be in your imagination, you cannot even think of it that the Government will give away property to any person without any enquiry. But the words are capable of this, and that is what I am objecting to. I would request you, Sir, to read the words contained here. It is like this:

> "If a person makes an application".

The person concerned has only to make an application and if the Government says that the property is in the possession of refugees or otherwise, then it shall be given, only for the making of an application and without going into the matter. The law provides under section 16 of the Evacuee Property Act that a certificate shall be given, somebody must go into the merits of the case, somebody must find out whether the person concerned has title to the property, somebody must find out whether it is fair and just to do so and whether the person concerned answers to the description which I have read out from Rule 15(ii). All those things are being taken away and bare power, autocratic power, absolute power, unrestrained power is being given to the Government to do as it pleases as soon as this Bill becomes an Act. I do not think the hon. Minister has gone through these provisions at all or the provisions have been carefully gone into by the Government.

I would rather like that section 16, which makes it obligatory upon the Government to enquire into the matter whether a person making an application has got title to the property, is retained. At the same time, those persons who come under section 15(d)(ii), as I have read out from the speech of Shri A. P. Jain, should alone be entitled to make applications. If the applications are fair and just, they should be accepted, otherwise not. If section 16 is abrogated it would mean, all that we have been fighting for, all that the Government has been saying, are all forgotten and unrestrained power is taken by the Government to do as it pleases. I do not think any hon. Minister will behave in this manner, without seeing the title give away the property to any person. But, at the same time, I am loath to pass a provision like this and give such powers to the Government. Therefore, under those circumstances, I want that this Bill should be referred to a Select Committee.

This is only one example to show why I want that this Bill should be referred to a Select Committee. I do not want to say a word so far as the

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prestige of this House is concerned, but you know, Sir, that it is in a Select Committee where every question of importance is thrashed out. When a smaller committee meets everything can be fully gone into and scrutinised.

I will refer to one or two other points. I am very happy that the hon. Minister is smiling. I hope he is satisfied and he will say that he does not want to have these powers.

Shri Mehr Chand Khanna: I will give the explanation, Sir.

Pandit Thakur Das Bhargava: I know you have got the explanation. It is not that I do not know the explanation myself. The only point is whether these words are capable of this or not.

Mr. Deputy-Speaker: Should not the hon. Member wait till the reply is given?

Pandit Thakur Das Bhargava: So far as the wording here is concerned, I claim that only a person has to make an application and the Government has to certify. They can exercise these powers without going into the matter. Section 16 of the Evacuee Property Act and other provisions stand practically repealed.

Now I will refer to another problem. You will be pleased to see, Sir, in this Administration of Evacuee Property (Amendment) Bill, there is a provision in clause 12(3), which says:

> "For the purposes of this section, a sum shall be deemed to be payable to the Custodian, notwithstanding that its recovery is barred by the Indian Limitation Act, 1908, or any other law for the time being in force relating to limitation of actions."

In a similar provision in clause 7 of the sister Bill relating to section 21 it is said:

> "For the purposes of this section, a sum shall be deemed to be payable to the Custodian, notwithstanding that its recovery is barred by the Indian Limitation Act, 1908, or any other law for the time being in force, relating to limitation of actions."

In both these cases the Limitation Law is sought to be liquidated. I will comment upon it subsequently. Similarly, you will be pleased to see part (2) of clause 7 of the sister Bill relating to section 21 which gives the power, which up to this time was being exercised by courts, to executive officers. Again, in clause 12 the same provision appears as 42(2).

In both these cases, my humble submission is, the moot point is whether the law of Limitation should not be allowed to have its play. This is not a question which can be debated by making a speech here or a speech there. This is a question of principle. Such a Bill which involves consideration of such complex questions must go to a Select Committee. They must say whether the law of Limitation should be allowed to prevail, whether the powers of courts should be usurped etc. So far the civil courts have been exercising these powers. Now those powers are sought to be taken away from civil courts and given to executive officers. A Bill of such a complicated nature should be referred to a Select Committee and should not be decided in an hour or two.

Apart from this, there are many other questions of a very grave nature. I am referring to clause 5 of the Administration of Evacuee Property (Amendment) Bill. There, as the hon. Minister has been pleased to point out, the question of trustees arises. In those properties of public interest and those of public charities or religious or charitable nature—it does not refer only to mosques and temples but other properties just like Qadiani properties, schools halls and

other properties left by Pakistanis—trusts were created. In many of them, I should say, there were no trustees at all. For instance, in an old mosque, an old hall or an old place which has been used for hundred, fifty or twenty-five years before this, no trustees were at all there. No question of trustees arose. There are places in Punjab and elsewhere where there is not a single Muslim in the whole of the town. We do not want to desecrate any particular property. I am one with the hon. Minister and the Government that such properties—mosques and other places—are to be treated with all respect. If our Muslim friends cannot utilise them, let them make over those properties to trustees newly appointed or, let there be joint trustees for those properties so that the whole thing can be managed in the national interest.

I know that usually in every mosque there was a place for a school. In my own place, there are two mosques with schools. What is the use of leaving those buildings unutilised and unlooked after? It is not a question of Hindus and Muslims at all. It is a question of utilising the property for a public or national purpose. I would like to see that all those places are utilised. Of course, they should not be desecrated but should be treated with all respect in the way in which we respect our religious institutions. But, at the same time, I want that these buildings may be utilised. You may put trustees. I am loath to think that the Qadiani property will be managed by somebody in Lahore. They are not to be utilised by them and they are to be utilised here. They ought to be utilised in a proper manner.

Similarly, in other places, there are schools connected with mosques and the schools were being run when Muslims were here. So, there is no harm in our friends here using those buildings for the purpose of schools. How much property did we lose in Pakistan? I have been informed that Rs. 3 crores worth of property by way of these trusts were left there including Gurdwaras and temples and other kinds of property. That is another part of the case and I will come to it later when I deal with the other Bill.

It is clear to my mind that so far as the new trustees are concerned, it is right that the hon. Minister has taken the power of the civil court for himself, because under section 92, it would take a long time and much expenditure. I think it is better done by the hon. Minister himself. But I am anxious that so far as these words are concerned,—"in the place of the evacuee trustees"—the matter has to be gone into. With these words on the statute-book, I do not think the law will be effective. I am, therefore, desirous that the whole matter has to be gone into by the Select Committee so that it could be fully thrashed out.

In regard to appeals, so far as the powers of revision are concerned, it is good if they are taken away, because, the work now is not so much as before and it is unlikely that any person will take advantage of them, especially in view of the hon. Minister's assurance that narrow and legalistic views are not being taken now and that the custodians have been authorised to deal leniently. He says that as a consequence, a sum of Rs. 1,64,00,000 has been already restored. I think more property is likely to be restored if the cases are taken up leniently or in a extra considerate manner. But then, so far as I am concerned, leniency and extra considerateness in matters like this are not fair and just. To my mind, justice is the only thing that ought to be done. It is entirely wrong if the Government, without going into merits make over their responsibility to others, and endorse leniency concession and extra considerateness. I am rather intrigued to hear that because of leniency and considerateness, they did this and they did that and they did so because of representations received by them as a matter of grace. Putting of such

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pressure is reprehensible. It was done before and it is being done now, to my mind this is evil unmarked. But, then, in the other community also, there are good number of men who like justice more than leniency, who would like fairness to be shown and not leniency and considerateness in this matter.

Shri Mehr Chand Khanna: Are you referring to section 16?

Pandit Thakur Das Bhargava: I am referring to your remarks and the general way of doing things. 90,000 applications were there, and now, they have been brought down to 25,000. I am dealing with those cases in which Rs. 1,64,00,000 has been given away.

I am submitting that so far as this provision is concerned, the manner in which the hon. Minister has dealt with it, is, to my mind, not fair and just. I would like Shri Khanna to be sympathetic, but sympathy is quite different from coming and saying to me that orders are being passed so that the property may be restored. It gives the impression that properties are to be restored without going strictly into the question. I do not like that idea. I am honest enough to say that.

Mr. Deputy-Speaker: Have the other figures also been supplied? What was the value of the property that was not restored?

Pandit Thakur Das Bhargava: No figure has been given. I would rather like to know how many out of these 90,000 applications have been accepted and how many have been rejected. What property was claimed and what was given? If they had been supplied, that would have been still better.

Shri Mehr Chand Khanna: The figure of 30,000 is rather misleading. As I said in my speech in May, 1955, if I remember aright, the number of cases pending under section 16 was 9,000. That figure has now been brought to about 4,000. We have disposed of 5,000 cases within the last year and a half. I was quoting the May, 1955 figures, and I had also stated in my speech that with a view to examine those cases, I had appointed three officers of the rank of District and Sessions Judge who are working in my Ministry. So, the figure is not 30,000. The total figure was 9,000. 5,000 cases have been disposed of and we still have about 4,000 cases pending with us. The period in relation to these figures is September, 1956. Our average output is about 5,000 applications a month.

Pandit Thakur Das Bhargava: So, I understand that out of the applications under section 16, only 4,000 remain to be disposed of.

Shri Mehr Chand Khanna: 4,000 remain still to be handled. That was in September, 1956, about two months ago.

Mr. Deputy-Speaker: The remaining figure, out of the 90,000, namely, 25,000 related to the cases that were pending before the custodians.

Shri Mehr Chand Khanna: They were judicial cases.

Pandit Thakur Das Bhargava: They were before the custodians, and then, after the certificate was given, they were investigated by the custodians. I understand that is the position. But I have not been able to understand the position of 90,000 and 25,000. How does my friend say that only 4,000 remain to be disposed of? I have not understood that.

Mr. Deputy-Speaker: Out of the 90,000, 25,000 remain still to be adjudicated upon by the Custodian-General's department. Out of the 9,000 in which certificates were issued under section 16,.....

Shri Mehr Chand Khanna: Not that. Under section 16, we received 9,000 applications. We had 90,000 cases in all. About 25,000 still remain to be disposed of. In the cases that have been adjudicated, only 9,000 applications under section 16 were received. They were received in our Ministry. Out of these cases, we have disposed of about 5,000 cases.

It might perhaps throw a little more light if I were to give the House some more figures. Out of all these 5,000 cases which I have just stated, in 3,176 cases applications under section 16 have been rejected. Only in 1,799 cases applications have been accepted.

Pandit Thakur Das Bhargava: I was speaking about the appeals. As the House knows, the general rule of jurisprudence is that an appeal is a question of procedure. An appeal is not a substantive right. It is only a conferment by statute. It is a question of procedure. So, when we speak of procedure, the general rule is that as soon as you pass a law relating to procedure, it begins to apply at once.

Clause 15 of the Bill runs as follows:

> "15. The provisions of sub-section (1) of section 24 of the principal Act, as substituted by section 7 of this Act, shall apply to all appeals instituted after the commencement of this Act."

This is in consonance with the legal principle that the procedure of appeal shall apply at once. If there is any justification for changing this rule, there is all the greater justification for applying it to all the pending appeals also. The change is, if the value is more than Rs. 2,000, the appeal goes to the Custodian-General; otherwise, it goes to the Custodian. A second appeal is also provided here. Nothing will be lost if it applies to the cases which are pending.

I want to submit that in clause 4 there is a recommendation which says that clauses (f), (g) and (h) should be omitted from section 10(2). My humble submission is that since so many cases yet remain to be disposed of, it will be necessary to have recourse to these three provisions (f), (g) and (h) for the purpose of the enquiry. I appreciate that so far as the abrogation of other sub-sections are concerned, the powers may be taken away, but I am afraid that clauses (f), (g) and (h) may be necessary for the purpose of a proper investigation of the pending cases. So, in my opinion, the powers contained in these clauses should not be taken away if we want that a proper disposal of the pending cases should be made.

I have already made my remarks about clause 16. In regard to clause 12, which relates to section 48—in the other Bill, it is clause 21—my submission is that it is entirely wrong to take away the law of limitation. If you go to the fundamental principles of the law of limitation, you will find that the limitation is there because of human limitations. In many rulings of the High Courts, they have said that it is a substantive right that once the limitation is passed, the other party against whom the limitation has run, secures a valuable right. That should not be interfered with. Therefore, I think that in a matter of this kind, where refugees are concerned, the law of limitation should be allowed to have its course as usual. There is absolutely no reason why you should depart from the fixed principles of law and justice in a matter of this nature. It is not right to take away the provisions of the Limitation Act in regard to these matters. In regard to liability, you know the civil courts are the arbiters of the rights of the people. They are the proper instruments for administering the rights of the people. If you allow the Collector of revenue to act as Judge in a case where a person is liable, you are doing a thing which is unknown to the law of the land; no authority should be a Judge in his own case. We are departing from these basic principles of justice while dealing with these cases. I do not see any justification for it. We are violating the Constitution and making laws which are contrary to the principle of equality before law under Article 14 of the Constitution. I thought the hon. Minister would justify this change, but I am sorry I have heard nothing. This can only be determined if we take this to the Select Committee and not otherwise. Sitting here, we will not be able to do justice to all the provisions in this Bill.

My humble submission is, apart from these rules, in every case of this kind, in which even *prima facie* there is no need of its being taken to a

[Pandit Thakur Das Bhargava]

Select Committee, the rule is that the Bill goes to a Select Committee. I do not see why a departure is being made now in regard to matters which relate to the right of very poor people, the refugees. I would request the hon. Minister kindly to agree to take these two Bills to the Select Committee. In my proposal, I have just mentioned the names of both the Ministers to become members of the Select Committee and to guide the committee. There he can mention all the reasons which justify these provisions. I can assure him that Select Committees of this House will be very helpful. I have got so much experience of them. They will co-operate with the hon. Minister. Let him not think that in the Select Committee he will not be allowed to have his own way. The members will co-operate with him, provided he convinces them of the validity of his arguments.

I find that there is very bad practice growing in this House, namely, even if a comma in the Bill is changed, the Ministers think that a wrong thing has been done. What is the use if reasonable suggestions of hon. Members of the House are not considered? The Bill may be passed without a comma being changed; it does not affect the Members of the House, but it affects those who are dearest to the hon. Minister, those of whom he is the guardian. Why should he not agree to the Bill being sent to the Select Committee? Nothing will be lost. After all, I have said that the report shall be made available by the 1st of December. I do not want it to be postponed. There need not be the fear that the Bill may not come up again this session or the next session. We must have a fair, good and just law, by which we may be able to see that justice is done to all the parties concerned.

Apart from these clauses, there are other provisions also in these two Bills which require deep consideration by us. You have been pleased to ask me not to touch the provisions of the other Bill, unless they are common with this Bill. But I may submit that when we come to that Bill, we will find that there are many provisions in that Bill also which require a thorough thrashing of the matter in the Select Committee. It will not be just to pass that Bill or even this Bill without sending them to a Select Committee. These are two like Bills and the same Select Committee can consider both the Bills.

Mr. Deputy-Speaker: What will be the reaction of the hon. Minister to the appeal that has been made by Pandit Thakur Das Bhargava in respect of the motion that he is making so far as reference to the Select Committee is concerned? That position may be made clear. Otherwise, there will be certain difficulties so far as the amendments are concerned. Is the hon. Minister inclined to accept it?

Shri Mehr Chand Khanna: I am not inclined.

Mr. Deputy-Speaker: What would be the position with regard to the other members whose names appear in the motion? Has their consent been obtained?

Pandit Thakur Das Bhargava: I will score out the names of those who are not agreeable to serve on the committee.

Mr. Deputy-Speaker: The hon. Minister is not willing. I presume the consent of the other members has been obtained.

Pandit Thakur Das Bhargava: The names of the Ministers can be scored out, if they are not willing. Otherwise, it means that no Select Committee can be formed at the instance of the House, if the Minister does not want it. I do not think this is the position. Ordinarily, if requests are made to the hon. Minister, it is unusual for the Minister to be disinclined to accept a certain proposition, because, after all, it is for the benefit of those who are affected by the Bill. The Minister is their best custodian.

If the Minister is not inclined to agree to my motion, I would beg of you to consider one aspect. As you know, yesterday and day before yesterday were holidays. I have sent about 15 amendments to the other Bill—The Displaced Persons (Compensation and Rehabilitation) Amendment Bill—and about 10 amendments to this Blil at about 11 A.M. today. I am afraid they might be objected to. This is a measure of very great importance and my apology for not giving the amendments earlier is that yesterday and the day before were holidays. If the Bill is not going to be referred to a Select Committee, I would request you kindly to waive the rule about notice and time-limit to give amendments. Otherwise, these Bills will be passed undiscussed and in a manner which is against the intention of the Members, not amended by amendments suggested by hon. Members. I could have given these amendments earlier, but the difficulty, as you know, is this. Usually it happens that the amendments and the Bills are thoroughly studied only when they come up. It is very difficult to study Bills in advance and remember them. I went through all the speeches of the hon. Members which were delivered in 1954 on these two Bills; and, it took hours and hours to go through them and draft my amendments. Then the amendments also cannot be made. I would therefore request you to kindly consider this aspect of the question also.

15 HRS.

Mr. Deputy-Speaker: I quite appreciate the difficulties that the hon. Member was suffering under, in not giving the amendments in time, but he is aware, and I am sure, more than anybody else, that normally we waive the notice if amendments are acceptable to the Government. Normally that is the course. He knows it quite well. That is the difficulty before me, which I have to consider. Anyhow, I will give my best consideration to that. Meanwhile, I am placing his amendment before the House.

The amendment that the Bill be referred to a Select Committee, consisting of names have already been read and should I presume that others have given their consent, though the Ministers have not?

Pandit Thakur Das Bhargava: The rule is that sometimes express consent is not taken, but it is presumed. If any person is not consenting, then only the question will arise.

Mr. Deputy-Speaker: The general rule is that consent should be first obtained. There is nothing like that. I do not think that the consent should be presumed. The rule is clear that the consent should first be obtained. Unless some member included in the list has objection to it, I take it for granted that he has consented. Lala Achint Ram, Shri C. P. Gidwani, Shri Chatterjee are there. I think I should omit the Minister who comes next....

Shri Mehr Chand Khanna: Shri Chatterjee is not in the House.

Pandit Thakur Das Bhargava: If he does not consent, the Select Committee will do its work without the Ministers but such an attitude will be most unreasonble and I do not think hon. Ministers will not co-operate in this manner.

Mr. Deputy-Speaker: If they do not take objection.....

Pandit Thakur Das Bhargava: Consent is never taken. According to the wishes of the House, they are to be asked. They will certainly agree if we request them to come and help us in the Committee.

Mr. Deputy-Speaker: I do not know what the position would be. It would be a different thing. So far as their inclusion is concerned, unless a member has agreed, how can I include him in the list?

Pandit Thakur Das Bhargava: He does not say that he will not act as a Member. As a Minister he is disinclined to accept the motion. He has not taken up that position that as a Member, he will not agree.

Mr. Deputy-Speaker: I presume he has no objection to his being included in the list.

Shri Mehr Chand Khanna: It is not a live issue.

Mr. Deputy-Speaker: Amendment moved:

> "That the Bill be referred to a Select Committee consisting of Lala Achint Ram, Shri C. P. Gidwani, Shri N. C. Chatterjee, Shri Mehr Chand Khanna, Shrimati Renu Chakravartty, Shri U. M. Trivedi, Babu Ram narayan Singh, Shri D. C. Sharma, Sardar Iqbal Singh, Shri Basanta Kumar Das, Dr. Ram Subhag Singh, Shri M. L. Agrawal, Shri Hem Raj, Sardar T. S. Akarpuri, Shri B. P. Jhunjhunwala, Shri Ranjit Singh, Shri N. C. Kasliwal, Shri Krishnacharya Joshi, Shri J. K. Bhonsle, Shri Bahadur Singh, and the mover with instructions to report by the 1st December, 1956."

Shri Barman (North Bengal—Reserved—Sch. Castes): I wish to speak a few words on this Select Committee motion. This Bill seeks to amend an Act about which only members who were very closely concerned are aware of the particular provisions of the Act and the application of those provisions in the actual field.

I presume that all other members in this House had very little time or interest in studying the provisions of the original Act and also study the actual operation in the field. That being the case, it is very difficult for us to come here and give our considered opinion about certain matters upon which Pandit Thakur Das Bhargava has just spoken. As a general rule, the Limitation Act is a substantive law and is a salutary law according to the general jurisprudence. In the same way the Civil Court is the proper administering authority of any law. There may be circumstances in particular cases, as has been sought to be made in the provisions of this Bill that the two salutary principles of jurisdiction should be abrogated in a case where an Act like this is considered to be necessary. On the floor of this House, now, it is very difficult for other hon. Members who have not taken an active interest in the matter to judge either way. Of course, it has got to be taken that the Government have brought this Bill after deliberate consideration but still when a senior member like Pandit Thakur Das Bhargava says that the provisions of this Bill may by minutely considered in a Select Committee, I find it very difficult to judge why the hon. Minister is making this objection. He has moved an amendment that the Bill be referred to a Select Committee with instructions to report by the the 1st December 1956. I hope, that considering the difficulties of others, the hon. Minister will consent to the Select Committee motion and get it thoroughly discussed with the Select Committee Members, who are directly interested in the provisions of this Bill. I think that we should not object to the Select Committee motion because by supporting him, the members would be benefited by whatever opinion he may feel called upon to express.

Shri Mohiuddin (Hyderabad City): Mr. Deputy-Speaker, the hon. Minister has given in his introductory remarks the important events that took place since 1952 regarding the amendments that were made by the Government in the Evacuee Property Act. He has also mentioned that the Pakistan Government is not co-operating nor taking any action regarding the relaxation or abolition of their Evacuee Property Act. I fully agree with him that this action of the Pakistan Government is in-comprehensible and reprehensible. I hope they will also take action very soon and abolish the Act.

The hon. Minister has mentioned that since the 1954 amendment was passed, he had issued general policy instructions that the cases should be

dealt with in a spirit of broad outlook and with greater sympathy. He has also given some figures regarding applications received under section 16 of the Act. He said that he had received 9000 applications out of which 3170 were rejected and 1100 were accepted, in which properties of the value of Rs. 164 lakhs were restored. I was surprised to hear my hon. friend Pandit Thakur Das Bhargava say that the policy adopted by the hon. Minister that the cases should be dealt with in a spirit of broad outlook and a sympathetic manner, is not correct and he insisted that the law should be administered fairly and justly. I may remind the hon. Member who said that the cases should not be dealt with leniently and with a broad outlook, that in this House the Prime Minister had said that this Evacuee Property Act is lawless law. He had repeated that on so many occasions. We should remember that, unfortunately, this Act had come mto force under unusual circumstances, and those unusual circumstances had compelled the Government to take some action. The Prime Minister, and, I am sure, the hon. Minister in charge have full sympathy with those who are alleged to have committed an offence against this Act on some technical grounds and whose property has been taken away from them. I am sure that they will see that this blot on the statute-book of India will be removed as early as possible. I am sure that with this amendment that has been brought before the House by the hon. Minister, the remaining cases will be disposed of as early as possible, so that we may completely forget what had happened and in what manner this unlawful Act was placed on the statute-book of India. I may remind the hon. Member Pandit Thakur Das Bhargava that if 1100 and odd cases under section 16 were accepted by the Government.....

Shri Mehr Chand Khanna: The correct figures are 1199 as against 3176.

Shri Mohiuddin: ....and properties restored, to whom has the property been restored?

Shri Mehr Chand Khanna: To the original owner.

Shri Mohiuddin: In India: not in Pakistan.

Pandit Thakur Das Bhargava: I want that in every case, the property should be restored, if it is just to restore it. Not that I regret that all these properties have been restored. I do not want leniency or unfairness to be shown to anybody.

Shri Mohiuddin: Pandit Thakur Das Bhargava wants that this law should be administered strictly. It simply means that it should be administered by the word of the law and not in the actual spirit of it. As regards the actual words, as I said before, this law was enacted in unusual times, at times which were beyond the control of ordinary precepts of law, and as the Prime Minister mentioned, it has been an unlawful law unfortunately enforced for such a long time. What I wanted to remind him was that this property has been restored to Indians on just grounds. It is not restored to Pakistanis: that must be remembered.

Unfortunately, it happened that when the hon. Minister announced that Rs. 164 lakhs worth of property was restored, the immediate reaction in the mind of certain Members was that this property worth Rs. 164 lakhs has been restored to the owners with the result that refugees have been deprived to the extent of Rs. 164 lakhs, otherwise it would have gone to the refugees, although the problem of rehabilitation of refugees is independent. In India at least, it is independent of evacuee property. Whatever the value of evacuee property may be, Government, I am sure, will provide fully for the rehabilitation of the refugees that have unfortunately come into this country. That idea which wrongly arises in the mind of the people creates the impression that restoration of property to the rightful owner deprives someone else of a right which they had in some way in that property. I am sure that the hon. Minister will disabuse those impressions so that there is no such misunderstanding in future.

[Shri Mohiuddin]

Pandit Thakur Das Bhargava had said something about the appointment of trustees by the Government for wakf property or for trust property which has been left in India by those who have migrated to Pakistan. I welcome this provision and I am sure the House will welcome this provision so that wakf property may remain as wakf property, should be in charge of right & proper persons and it should be put to proper use. Pandit Thakur Das Bhargava mentioned that the buildings that were used as schools and madarsas, should be utilised. I have no objection to that. Certainly not. I hope that they will be utilised and the wakf property will be maintained and utilised for the best interests of the people as a whole according to the conditions of Trust.

With these remarks, I support the Bill.

Shri Mulchand Dube (Farrukhabad Distt.—North): Mr. Deputy-Speaker, I have got to make only a few remarks in regard to this Bill. The first is about the amendment that is proposed to section 24. Under the law, as it stands at present cases decided by the Assistant or Deputy Custodians, whatever the value, were appealable to the Custodian. The amendment that is sought to be made will restrict the right of appeal to the Custodian only in respect of amounts or properties of a value not exceeding Rs. 2,000. The result will be that all appeals involving amounts or property of the value exceeding Rs. 2,000 will have to go to the Custodian General. I submit that because of this, great hardship would be caused to persons living in places far away from Delhi and the appellants will have to incur expenses, which, I think, are not justifiable. I hope the hon. Minister will look into this question, and that if he does not want the law to stand as it is at present, he will at least make some arrangement for the hearing of the appeals in the States to which they relate.

There seems also to be a provision by which the application of section 5 of the Limitation Act is sought to be abrogated. In regard to this, too, my submission would be that rule 31 of the rules made under the evacuee property legislation which makes sections 4, 5 and 12 applicable will continue to be applicable and will be applied by the court before which the appeals are pending.

The second point that I wish to raise is that this law is after all a law relating to the administration of evacuee property, that is the property vests with the evacuee, and therefore the Limitation Act, when it is sought to be abrogated, should not be abrogated in respect of the period before which the property was declared to be evacuee property or notified to be evacuee property. Supposing the evacuee himself had lost the right to enforce payment of an arrear or a due before the property was declared evacuee property, there is no point in reviving that right in the Custodian or the Deputy-Custodian or whoever it may be. That is a difficulty which I wish to point out, and I hope the hon. Minister will consider this also.

The third point is about the appointment of trustees. The appointment of Trustees generally rests in the District Judge, and I think the trusts generally involve complicated questions of law in regard to the conditions imposed by the author of the trust upon the trustees. There are sometimes conditions which cannot be ordinarily decided upon by the executive. Although the procedure that is sought to be introduced may be simpler, it may, after all, not be the correct procedure, and I would respectfully submit to the hon. Minister to look into this matter and see that the District Judge or other authority who up till now appoints trustees appoints them hereafter also.

Shri Gidwani (Thana): I have no desire to go into the history of this evacuee legislation. I agree with my friend Shri Mohiuddin that it is a lawless law, but on account of extraordinary circumstances it was passed

in this House, owing to circumstances over which we had no control. But I may tell him that it is directly connected with compensation and rehabilitation of displaced persons. I may inform him that when we demanded compensation for our properties left in Pakistan, at the very start we said the Government could impose a liberty tax on India, the Government may have a lottery, may resort to other sources or other levies, but they must pay us compensation. We never demanded that the evacuee law should be introduced or that the property left by Muslims should be given to us. In the beginning Government would not agree to any proposal of that nature. Ultimately, when this compensation Act was passed, they said the evacuee property left by Muslims in India will form the main part of the compensation pool. I may inform him and other Members that today according to the Government plan, Rs. 185 crores form the compensation pool, out of which Rs. 100 crores is the value of property left by Muslims in India. So, the compensation amount that we are going to receive from the Government consists mainly of evacuee property in India. If Government today were to declare that irrespective of the value of the evacuee property they are going to give us compensation, I am sure most of us would not feel agitated or feel concerned about this particular rule or particular law or particular section as Pandit Thakur Das Bhargava is; we are concerned because every section has its bearing on the compensation amount that we are going to receive. It has been roughly calculated that the value of the property left by Muslims in India is about Rs. 100 crores. Now, if the property goes on dwindling, naturally we feel concerned. One may like it or not, but that is the bare fact which must not be ignored while dealing with both these Bills that are pending before us.

I agree with my friend Shri Mohiuddin or any other Member that no rightful owner should be deprived of his property in India. He is after all an Indian national. If through any mistake he was declared an evacuee, that should be rectified. But I have been constantly all these years in touch with this whole affair and I know there are bogus persons also, people who have no right to the property have claimed the property. The very fact that the Minister told you that out of about 3,000 cases of restoration, 1,000 have been sanctioned and the others rejected, shows that even with the present policy of not being legalistic, being liberal, broadminded and lenient, the Government have themselves found out that there are people who are not rightful claimants. Therefore, where you do not consider the legal aspect of the matter, it is likely there may be some cases also which may not be those of rightful owners. This is our anxiety, and that is why we are concerned. Therefore, when you say that we should deal with this matter in a broadminded way or in a lenient manner, the impression that has been created on our minds is that mostly on account of certain pressure, certain properties may be released not to the rightful owners. It may be right or wrong, but when you depart from the law, the accepted principle of legal jurisprudence or of procedure as defined by law, there are many loopholes. These things I cannot prove, but I know how pressures are brought to bear, how things are done. That is our fear. Poor people may not get that advantage, bigger people who may not be the rightful owners may get the advantage. That is our fear. That is why Pandit Thakur Das Bhargava demanded that the Bill might be sent to the Select Committee, so that all these loopholes might be plugged.

Shri Mehr Chand Khanna in his statement said that some unauthorised occupants also have been allotted the property they were occupying and they will not be ejected now. You can understand who those unauthorised persons were. They were certainly not the rightful owners. They are unauthorised occupants and their unauthorised occupation is

[Shri Gidwani]

also legalised, they will not be debarred—whether they are Muslims or Hindus is not the question. Suppose I lost my property and I am going to get that property. Today I find that property is being given to a person who has no title to it. That is why some of these provisions do require some change, at least some consideration, and that is why Pandit Thakur Das Bhargava dealt elaborately with every clause in the Bill and wanted that some opportunity should be given so that we may sit together.

We are all unanimous that this unhappy chapter should end, that this evacuee law should go, that all these pending cases should be disposed of as early as possible, that this whole paraphernalia of this evacuee property administration, the staff which is being maintained, all this should go, and the whole thing should be cleared up as early as possible. But before we do so we should see that no person who is not the legal owner gets undue advantage of it. To that extent, the Displaced Persons' Pool will be affected. That is the whole point.

Then, I come to the other aspect of the question. So many cases have been pending. I had raised this matter before also in the Lok Sabha and put a certain number of questions. I was told that efforts are being made to dispose of those cases. I do not know how many cases are still pending. Now, many cases are going to the Custodian General. From what little I know of that Department or from whatever I have heard of the working of that Department, I feel that unless younger people, people with energy and who can do some work are entrusted with the task, there will be more of delay in the disposal and it will not be as quick as it is anticipated.

I would again appeal to Shri Mehr Chand Khanna that there is nothing lost if a Select Committee is appointed. Even Shri Mohiuddin can be put on that committee so that we can sit together and do something which will be acceptable to all and see that nothing is done which jeopardises the legitimate interests of displaced persons and no rightful claimant is debarred or deprived of his rights.

लाला अचित राम (हिसार): उपाध्यक्ष महोदय, यह जो आप के सामने अमेंडिंग बिल (संशोधनकारी विधेयक) लाया गया है उस की बड़ी गरज़ व मक़सद यह मालूम होता है कि रिप्यूजीज़ को जल्दी से जल्दी कम्पेंसेशन (क्षतिपूर्ति) दिया जाय । मामला जल्दी तय हो । लेकिन इस के लिये पंडित ठाकुर दास जी ने सेलेक्ट कमेटी का प्रपोज़ल दिया है । मैं समझता हूं कि इस प्रपोज़ल की हिमायत हमारे और दोस्तों ने भी की है । मेरा ख्याल है कि खास तौर पर जब कि इस में सिर्फ दो दिन की ही मोहलत मांगी गई है, पहली दिसम्बर को कमेटी की रिपोर्ट हो जायेगी, तो ऐसी कौन सी मुश्किल बात है । अगर हम खन्ना साहब से यह कहें कि ५० करोड़ रुपये दिलवाइये और वह यह कहें कि उन के बस की बात नहीं है, तो बात दूसरी है । लेकिन दो दिन की मोहलत देना कोई ऐसी बात नहीं है जो कि उन के बस की न हो । यह कोई ऐसी बात नहीं है जिस में प्रधान मंत्री या गवर्नमेंट को बैठ कर फैसला करना हो ।

आज सेलेक्ट कमेटी की ज़रूरत किस वास्ते है? आज यह अमेंडिंग बिल लाया जाता है कि रिझोपनिंग (पुनः चालू करना) बन्द की जाये, रिवीज़न (प्रतिवाद) बन्द किया जाये । यह जो अमेंडमेंट लाया जा रहा है, वह इस गरज़ से कि ग़लत पेमेंट (भुगतान) न हो । हो सकता है कि लीगल डिपार्टमेंट (विधि विभाग) ने कोई गलती की हो । या हो सकता है कि हम से ही कोई गलती हुई हो । अगर उन गलतियों को ठीक करने के लिये दो दिन आप दे देते हैं तो कौन सी

भारी बात है ? इस वास्ते मैं हाउस और मिनिस्टर साहब से यह दरख्वास्त करूंगा कि वह इस डिमांड को मानें ले । He will not be a loser; he will be a gainer. (वह घाटे में न रहेंगे, वह लाभ में रहेंगे) बैठ कर बात चीत करने और कोई बातें रह गई हों तो उनको बेहतर बनाने के लिये यह दो दिन का वक्त बढ़ रहा है । उस के बाद इस की जरूरत नहीं पड़ेगी । इस में कोई बुरी बात नहीं है ।

इस के बाद मैं एक, दो बातें और अर्ज करना चाहता हूं । एक मेरा पसनल एक्सपीरिएंस (व्यक्तिगत अनुभव) है, मुझे सेपरेशन आफ इवैक्वी प्रापर्टी (निष्क्राम्य सम्पत्ति को अलग करना) के बारे में मालूम है, उस से मेरा वास्ता पड़ चुका है । एक वर्ष हो गया, तो वर्ष हो गये, तीन चार वर्ष हो गये, केसेज पेंडिंग (मामले लंबित) पड़े हुये हैं । आखिर कोई लिमिट (सीमा) भी तो होनी चाहिये कि सेपेरेशन के ऊपर इतने दिन लगने चाहिए, कुछ मालूम तो हो कि इस पर तीन, चार या छः महीने लगेंगे । मैं कहूंगा कि इस तरफ तवज्जह दी जाय कि पेमेंट (भुगतान) जल्दी हो ।

खन्ना साहब यहां थे नहीं, अब तशरीफ लाये हैं, मैं बता दूं कि मैं ने कहा था कि जो सेलेक्ट कमेटी की मांग की गई है, वह कोई बड़ी भारी बात नहीं है, अगर उस को आप दे देंगे तो कोई हर्ज नहीं होगा । ऐसी बात कोई नहीं है कि इस में करोड़ों रुपये खर्च हो जायेंगे, न इस में कोई इज्जत का ही सवाल है । अगर सरकार इसको मान लेगी तो इस में उस की कोई हतक नहीं हो जायगी । आप को फायदा ही होगा । फिर कोई महीने दो महीने तो बढ़ नहीं रहे हैं, सिर्फ दो दिन के लिये तारीख बढ़ रही है ।

दूसरी बात मैं ने यह कही कि जो सेपरेशन आफ इवैक्वी प्रापर्टी का सवाल है उसमें मेरा जाती तजुर्बा है कि वह अफ़सरशाही (सरकारी) लम्बा हो जाता है । तारीख पर तारीख पड़ती है और उस से रिप्यूजीज को भी नुक्सान होता है और पार्टी कंसर्न्ड (सम्बन्धित दल) को भी, उन का खर्च हो रहा है ।

दूसरी बात यह है कि दूसरा बिल जो आ रहा है उस में जो प्राविजन (उपबन्ध) किया गया है वह उस प्रापर्टी (सम्पत्ति) के बारे में है जो कि रेस्टारेबल (दिलायी जा सकती) हैं और ऐलाट हो गई हैं । उन के लिये कोशिश की गई है कि कैश कम्पेन्सेशन (नकद क्षतिपूर्ति) मिल सके । इस चीज को ले कर जरा मुश्किल हो रही थी, लेकिन खुशी की बात है कि सरकार इस चीज को ले आई । मैं कहता हूं कि पंजाब के अन्दर ऐसी प्रापर्टी है । हजारों गांव हैं जहां पर मस्जिदें हैं हालांकि वहां पर कोई मुसलमान नहीं है । बल्कि वहां पर दस-बीस, पचास या सौ वर्ष तक उन के आने की सम्भावना भी नहीं मालूम पड़ती । मैं नहीं समझता कि क्यों गवर्नमेंट उन को अपने हाथ में नहीं ले लेती और जहां पर ऐसी मस्जिदें हैं उन के लिये ऐसा कानून नहीं लाती कि उन का ऐडमिनिस्ट्रेशन (व्यवस्था) गांव की पंचायत पर छोड़ दिया जाये । Let the Panchayat of that village use it as it likes. (उस गांव की पंचायत जैसा चाहे वैसा उपयोग करे।) स्कूल हो तो उस को वहां पर चलाये या गुरुद्वारा बना दे । बड़े सन्तोष की बात होगी । मैं तो कहता हूं कि अगर कोई ऐसी जगहें पाकिस्तान में हों तो उन का भी इस तरह से सही इस्तेमाल हो । खुदा का घर वह भी है । मुझे तो कोई फर्क मालूम नहीं पड़ता । आप क्यों शाई फील करते (शर्मिन्दा होते) हैं ? आप करेज (साहस) अपने हाथ में लीजिये । वह भी घर खुदा का है और यह भी घर खुदा का है । आप सिर्फ गांव की पंचायत पर इस को छोड़ दीजिये कि वह जैसे चाहे उस का इस्तेमाल करे । मैं समझता हूं कि उन का

[लाला अचित राम]

खाली पड़ा रहना बेमानी है । मैं जानता हूं कि हमारे गांवों के अन्दर इस तरह से उन का मेंटेनेंस (बनाये रखना) मुश्किल है । अगर उस को पंचायत के हाथ में छोड़ दिया जाय तो यह इमारत के हक में ही होगा । जिन्होंने मस्जिद बनाया है, उन के खुद के इंटेरेस्ट (हित) में है कि उन की बनवाई हुई इमारत ठीक रहे । इस वास्ते You should take courage in both hands and have the law.(आपको हिम्मत करनी चाहिये और विधि बनानी चाहिये ।)

An Hon. Member: You say that?

Lala Achint Ram: Yes; I say so.

श्री मेहर चन्द खन्ना । मस्जिद का गुरुद्वारा बना दिया जाये ?

लाला अचित राम : जी हां, मैं कहता हूं कि जिस गांव के अन्दर मस्जिद है, उस में एक भी मुसलमान नहीं है, पचास मील इर्द गिर्द मुसलमान नहीं हैं, तो आप उस को जरूर बदल सकते हैं । मैं स्कूल, मन्दिर और गुरुद्वारा के लिये भी कहता हूं, मस्जिद और दरगाह के लिये भी कहता हूं । अगर ऐसी कोई जगह पाकिस्तान में हो तो वहां भी ऐसा ही हो सकता है । इमारत के बनाने वाले का जो मकसद है कि इमारत में इबादत (पूजा) हो उस को पूरा करना चाहिये । हमें तो खुश होना चाहिये कि हमारे मन्दिरों को पाकिस्तान ने मस्जिद बना दिया है और मुसलमान वहां पांच दफा नमाज पढ़ते हैं । मैं समझता हूं कि बिल्कुल ठीक बात है । You should take courage. यहां पर मस्जिदों और दरगाहों का मेंटेनेंस और ठीक यूज (उपयोग) भी इसी तरह से हो सकता है कि वहां पर स्कूल खुल जायें, ग्रंथ साहब का पाठ हो, गीता का पाठ हो, जैसे महात्मा गांधी प्रार्थना करते थे, आयतें पढ़ते थे । गरज यह है कि इबादतगाह का इस्तेमाल हो उस का एडमिनिस्ट्रेशन (व्यवस्था) सही तौर पर चलाया जाय । इस के लिये जब वक्त आयेगा तब मैं बोलूंगा । इस वक्त तो मैं यही दरख्वास्त करूंगा कि इस वक्त पंडित ठाकुर दास भार्गव का और कोई मकसद नहीं है सिवा इस के कि पेमेंट (भुगतान) जल्दी हो । इस बिल में इस का दरवाजा बन्द है । अगर इस चीज को मान लेने से पहली दिसम्बर से २ दिसम्बर होता है तो इस में कोई हर्ज नहीं है क्योंकि आप सच्चे दिल से मुल्क की खिदमत कर रहे हैं । आप जानते हैं कि मैं नुक्ताचीनी करने से रुकने वाला नहीं हूं, यहां जितने मिनिस्टर आते रहे हैं, सब की करता रहा हूं । यहां पर सिर्फ दो दिन की बात है इसलिये इस को कबूल कीजिये तो कोई हर्ज नहीं है । कुछ गेन (फायदा) ही होगा, you will not be a loser (आप घाटे में नहीं रहेंगे) ।

Shri N. B. Chowdhury (Ghatal): Mr. Deputy-Speaker, Sir, I consider it absolutely necessary that this subject of evacuee property administration should be approached with a broad perspective befitting our national dignity. We see today in this country foreigners having vested interests intended for sheer exploitation of the country. So, it has been aptly said by certain Members that this is rather an unusual law to deal with an unusual situation. We know that this subject of evacuee property is directly connected with the payment of compensation to the displaced persons who have come from West Pakistan. We must have due regard to the spirit in which we generally approach matters concerning the different communities. We think that there is some injustice so far as certain Indian nationals are concerned. Cases were brought before us to show that even when persons did not leave this country, did not evacuate India, but shifted to some distant place, their properties were declared evacuee properties and that has led to certain difficulties to some Indian Muslims—Indian

nationals. While we want that the displaced persons from the West and the East Pakistan should be rehabilitated properly—it is the bounden duty of the Government to see that the work of rehabilitation does not suffer in any way—we must also see that no injustice is done to Indian nationals whatever communities they may belong to.

In this Bill, the Government is seeking to simplify the procedure to settle certain matters. I have no objection to that. We must be sure that the power which the Government of India now wants to take from the States or from the Custodian should be properly utilised. We are not so much concerned as to whether the power is given to the State or to the centre to appoint certain authority. What we are concerned about is the manner in which the work has to be done. Till now, the administration of the evacuee property law has not been carried on in a way which could be considered satisfactory. There were many complaints and a lot of delay with regard to the settlement of disputes. So, when this amendment has been brought here by which the Government of India wants to take power in its own hands, we would like to see that matters are expedited and nothing is done which would be derogatory to our national prestige.

Pandit C. N. Malviya (Raisen): Mr. Deputy-Speaker, I support the amendment moved by Pandit Thakur Das Bhargava because it will give time to consider this important matter. The time is not so long as the hon. Minister should have any reasonable grounds to refuse and so I hope he will agree to this amendment. When we are dealing with such a problem and want to expedite the matters, we should not make haste. When we lay down a procedure by which we want to expedite matters, cool consideration is required.

Lala Achint Ram has said certain things. Personally, I may agree with him. But, if we have in view the reactions that may be created by turning the mosques into temples and *vice versa*, it is not advisable to accept his idea. Whatever Pakistan may do, we must preserve in India the religious institutions as they are. It does not matter if a mosque happens to be in a place where there are no persons to utilise it. There are other ways in which we can maintain the sanctity of the religious places and at the same time utilise them. We should find out the ways and means by which we can utilise such places with the goodwill and co-operation of the community to which they belong. So, I do not share that view expressed by my hon. friend. I will not advise even the Pakistan Government to turn the temples into mosques because it will react on them also. Let us not forget the many forces which are now very active to create disruption, in Pakistan and in India particularly. Let us not forget the recent agitations.

Lala Achint Ram: The suggestion relates only to West Pakistan.

Pandit C. N. Malviya: All right. But the main proposal is this.

Pandit Thakur Das Bhargava: May I just rise on a point of order? This question of conversion of mosques into temples does not arise under the provisions of the Bill. We are talking irrelevant things. The only question was about the appointment of trustees. Can it be said that the hon. Minister or the Government is suggesting that that a mosque should be turned into a temple?

Shri Mehr Chand Khanna: Do not put those words into my mouth; I have never said any such thing.

Pandit Thakur Das Bhargava: I am also saying that he has not said that. This discussion is irrelevant.

Mr. Deputy-Speaker: Nobody has said that. I understand that there was a suggestion made in that connection by Lala Achint Ram that, when trustees are being appointed, they may see that these places also

[Mr. Deputy-Speaker]

are put to some use by the public. It may be this, that or the other. That is a different thing. He was of the view that these places should not lie unused; some use should be made of them. This was the suggestion and the others are referring to it.

Pandit C. N. Malviya: I pointedly refer to this question because I strongly feel that this sort of suggestion should not be made.

Mr. Deputy-Speaker: He is not saying that temples must be converted into mosques or mosques into temples. His only suggestion was that they must be put to some use.

Pandit C. N. Malviya: If so, I stand corrected. I thought that this suggestion was somehow or the other made and so I want to refute this suggestion. Let it be used for some good purpose. But, let us not think of changing or converting them. It is a very dangerous proposal because the conditions are very bad. People have not come to the stage when they would not mind that; let us not involve ourselves in such things.

Again I support the amendment moved by my friend Pandit Thakur Das Bhargava. Let us consider this question coolly. Nothing will be lost by spending another four days more to consider this question. I support the amendment and support the principle of the Bill also.

Shri Kazmi (Sultanpur Distt.—North *cum* Faizabad Distt.—South-West): Mr. Deputy-Speaker, Sir, so far as the amendment is concerned, there is one thing which I want to bring to the notice of the House. Whenever motions for reference to the Select Committee are made, it is presumed that the hon. Member in charge of the Bill would be a member of the Select Committee. If it is made a condition precedent that the consent of the Members should be taken.....

Mr. Deputy-Speaker: If the hon. Member will excuse me, I want to point out one thing. We had only two hours for this Bill. That would expire by about four o'clock. But I allowed this discussion to go on under the impression that perhaps the House might like to continue this discussion, because already we had saved one hour from the previous Bill. If the House is really of that view and wants to continue this discussion I can go on with this, otherwise I shall have to put a stop to this discussion.

Pandit Thakur Das Bhargava: If this amendment is lost, then the remaining amendments will also have to be moved and discussed. I would therefore request you, Sir, to extend the time at least up to five o'clock.

Mr. Deputy-Speaker: If that is the sense of the House, I have no objection.

Shri Kazmi: I was submitting that the convention up till now has been, we have always presumed that if the House agrees to the reference of a Bill to the Select Committee the hon. Member in charge of the Bill would agree to it. Otherwise, if we make it a condition precedent, it would mean that, if the Government is not prepared to accept the motion the Member concerned will never be able to move his motion in the House seeking to refer the Bill to a Select Committee.

So far as reference of the Bill to a Select Committee is concerned, it is a matter which, I think, I would not oppose. But, so far as some of the principles on which reference to the Select Committee is sought are concerned, I am sorry that I am unable to accept those principles.

It has been said again and again, and very definitely, that this was an unusual law, in our Constitution we have got Fundamental Rights and this law was an exception to those Fundamental Rights. Further, it has been said that there is an attempt on the part of the Government, and every other person who is interested in the welfare of the community, that this law should be brought to an end as early as possible. So it is not likely

to be a complete law which can really be judged from the standards of any good law. But it has got only to be a law of emergency and, as such, I feel that we cannot leave much for the decision of the courts. You know, when this Act was enacted, the courts themselves were created by the department and appeals were to the department. Parties who were affected, whether they be refugees or non-refugees, have been complaining against this Act. It is not only the refugees, whose pool is being affected, who are complaining against it. Persons who think that their properties have been taken away are also complaining against this.

So my submission is, after all, this is a temporary law and these principles, on the basis of which it is sought that the matter should be referred to a Select Committee, will remain there and ought to remain there even after a reference to a Select Committee is made.

So far as the Limitation Act is concerned, I perfectly agree that it is a matter of vast importance and that we should not touch the Limitation Act. But, at the same time, looking at the emergent nature of the Act and the action that has to be taken, I feel that we will have to interfere with the provisions of the Limitation Act. How are the provisions of the Limitation Act going to be affected? They are going to affect both the parties, a person who applies for restoration of property and a person who is asked to pay rent for properties that he has been occupying with the consent of the proper authorities. He may be a displaced person or he may be a person who is a resident of this place. So far as the law of Limitation is concerned, I feel that it is going to affect both ways. But, if we are not going to relax the conditions of the law of Limitation, I think we will not be able to do real justice to either of the parties.

Then, so far as the question of Trusts is concerned, I might give an example. The Government have taken over the power of appointing trustees. Of course, the persons concerned would feel that the Government would be appointing trustees who may not be the real representatives of the community. Just as my friend Lala Achint Ram suggested, let them be the panchayats. Unfortunately, we are not so broad-minded as Lala Achint Ram. We wish every one of us would be of that view and then, probably, most of the problems of India and Pakistan would be solved. Still I feel that the time has not yet come and we have yet to look to the properties—mosques, temples, gurudwaras and properties belonging to them—and, as pointed out by Pandit Thakur Das Bhargava, if we are going to leave the matter to the courts, cases under section 92, then they would finish after ten or twenty years and finish at a time when the properties would have been finished.

Therefore, I think every person who has got to take something from the Government will have to leave it to the discretion of the Government. I may say that the Government has not been sufficiently lenient to me and the other party may say that it has not been lenient to him. But, whether leniency is shown this way or that, whether limitation is exercised in favour of one party or the other, the emergency and the nature of the question is such that we cannot but leave it to the discretion of the Government who, we trust, will do to the utmost of their capacity and to the satisfaction of all concerned.

Therefore, what I submit is, even after this matter is referred to a Select Committee, probably these principles will remain as they are. There may be some satisfaction of having discussed the matter with the hon. Minister and other Members, and also of having had an exchange of views. That can very easily be carried on without a formal Select Committee. So I again say that the principles will have to remain intact and, so far as the matter of referring it to a Select Committee is concerned, if it is really the desire of my friends we can have no objection to that.

[Shri Kazmi]

With these words, Mr. Deputy-Speaker, I support the motion moved by the Government and not the amendment for reference to a Select Committee.

श्री राधा रमण (दिल्ली नगर) : उपाध्यक्ष महोदय, जिस विधेयक पर हम आज विचार कर रहे हैं, वह एक बहुत ही आवश्यक विधेयक है । उस को हम पहले भी पास कर चुके हैं और आज उस का एक संशोधन सरकार की तरफ़ से हमारे सामने आया है । पिछले पांच छः वर्षों में जो घटनायें घटी हैं, जो तजुर्बा हासिल किया गया है या जो आवश्यकतायें पड़ी हैं—जिन का कि निराकरण पूरे तौर पर नहीं हुआ—उन को दृष्टि में रख कर यह संशोधन विधेयक पेश किया गया है ।

15-59 HRS.

[SHRI BARMAN *in the Chair.*]

सदन के सामने एक प्रस्ताव पंडित ठाकुर दास जी का है, जिस में वह चाहते हैं कि इस विधेयक को सिलेक्ट कमेटी (प्रवर समिति) के सुपुर्द कर दिया जाय । और उनकी यह मंशा भी नहीं है कि यह विधेयक इस संशोधन के कारण अधिक देर तक रोका जाये । उनकी इच्छा यह लगती है कि इस विधेयक में जिन धाराओं में परिवर्तन का विचार किया है वह अधिक सोच विचार के पश्चात् मंजूर हों । यह मंशा बड़ी अच्छी है और यह जानते हुये कि इस सदन के हर सदस्य की यह भावना है कि यह जितनी जल्दी हो सके मंजूर किया जाय मुझे इसमें कोई आपत्ति नजर नहीं आती । मैं इसका विरोध नहीं करता, लेकिन मैं एक दो बातें जरूर कह देना चाहता हूं चाहे यह विधेयक प्रवर समिति को जाये चाहे यह ऐसे ही पास किया जाये ।

16-00 HRS.

हमन जब से इस इवेक्वी प्रापर्टी के एडमिनिस्ट्रेशन की बात की है तब से इस सदन में बराबर एक विचारधारा को सामने रख कर काम किया है, और अगर हम उस विचारधारा से कुछ इधर उधर हो जाते हैं तो हमने जितना अब तक किया है उस को भी हम पीछे डाल देते हैं । जब हम कभी इवेक्वी प्रापर्टी के संशोधन के बारे में या इस बिल के विषय में निर्णय करते हैं, तो हमें एक दम खयाल आता है कि बहुत सारे वह भाई जो कि डिस्प्लेस्ड हैं या जिन का पुनर्वास किया गया है उन लोगों के अधिकार में किसी प्रकार की कमी न आने पाये मैं समझता हूं कि सदन का कोई भी सदस्य ऐसा न होगा कि जो उनकी कठिनाइयों के विषय में अपनी हमदर्दी न रखता हो और जिसने कभी भी यह विचार अपने मन में न किया हो कि उनको अधिक से अधिक और जल्दी ऐसी अवस्था में लाना हमारी सरकार का काम है कि जिसे हम उनका एक उचित अधिकार मानते हैं ।

इस लिये जब कभी भी उनका प्रश्न आया इस सदन ने बड़ी हमदर्दी से उस पर गौर किया है ।

अब बात यह सामने आती है कि सरकार ने कम्पेन्सेशन (प्रतिकर) काफी देर से मंजूर किया और अब उसे जल्दी से जल्दी कम्पेन्सेशन देना है । इस भावना से भी किसी को विरोध नहीं है, बल्कि अगर मौका आये और सदन के सदस्य समझें कि मिनिस्टर साहब रुपये की कमी की वजह से उन लोगों की अवस्था को दुरुस्त करने में कोई कठिनाई महसूस कर रहे हैं, तो सदन के सभी सदस्य मिल कर सरकार से कहेंगे और उसे मजबूर करेंगे कि वह कुछ और रुपया पूल में डाल दे ताकि जो उद्देश्य हमने अपने सामने रखा है उसकी पूर्ति कर सकें । मगर अगर हम देखते हैं कि हमारे सामने कोई ऐसा नियम आता है जो कि हमारे देश में रहने वाले कुछ नागरिकों के हकों को किसी कदर भी कम करता है तो मैं समझता हूं कि हमको बहुत गम्भीरतासे

उस पर विचार करना चाहिये, क्योंकि अब तक जो नीति हमने बरती है उससे हमारी प्रतिष्ठा हमारे देश में ही नहीं बल्कि दूर देशों में भी बढ़ी है और हम उस प्रतिष्ठा की किसी प्रकार की भी ठेस नहीं लगाना चाहते । हम को यह नहीं देखना है कि पाकिस्तान क्या करता है और वह अपने इवेक्वीज़ की प्रापर्टी के प्रति कैसा व्यवहार करता है । हम को तो अपने इरादों को इंसाफ और सचाई की तराजू पर तोलना है । अगर हम ऐसा कोई नियम बनाते हैं कि जिसमें इस मामले में ज़रा भी ढिलाई होती है तो मैं समझता हूं कि हमने अब तक जो नीति बरती है हम उस से हटते हैं और ऐसा हमें मंजूर नहीं करना चाहिये ।

अभी हमारे एक बुजुर्ग लाला अचिन्त राम जी ने एक बात कही । उन्होंने कहा कि अगर किसी इलाक़े में कोई मस्जिद है जहां कोई भी मुसलमान नहीं रहता, और वह किसी भी उपयोग में नहीं लाई जाती और खराब हो रही है, बिगड़ रही है, तो उस सूरत में उसका कुछ उपयोग करना चाहिये । उन्होंने यह भी कह दिया कि ऐसी मस्जिद को मन्दिर के काम में लाया जाय तो गैर मुनासिब नहीं होगा । मैं उनकी इस विचार-धारा से सहमत नहीं हूं । बहुत सारी ऐसी हमारी इमारतें हैं जिनमें हमारा बहुत पुराना इतिहास छिपा हुआ है और वह आज जगह जगह कायम हैं पर उनकी हम कोई देखभाल नहीं कर रहे हैं । बल्कि मैं तो कहता हूं कि हमारे देश में ही नहीं बल्कि प्रदेशों के अन्दर हमारे मन्दिर हैं, देवालय हैं, उनका कोई उपयोग नहीं होता बल्कि वे बेकार रखे हुये हैं, उनको कोई हाथ नहीं लगा सकता । वहां की सरकारें उनकी उसी तरह पवित्र मानती हैं जैसे कि हम अपने मन्दिरों को मानते हैं । यह कहा जाता है कि उनका सदुपयोग होना चाहिये लेकिन सदुपयोग इस तरह होना चाहिये कि जिस कम्युनिटी की वह चीज है उसको वह महसूस न हो कि उसकी किसी इबादत गाह पर प्रहार हो रहा है । उस कम्युनिटी को कभी भी यह महसूस न हो कि उपयोग्यता के नाम पर उनके अधिकारों पर आघात हो रहा है । इस बारे में मैं यह ज़रूर मानता हूं कि इस प्रकार के जितने भी मन्दिर या मस्जिद या देवालय वगैरह हैं, उनको सुरक्षित रखा जाये और उनकी देखभाल की जाये, यह सरकार का फ़र्ज है । कोई भी सरकार हो चाहे पाकिस्तान की हो या हिन्दुस्तान की, उसका यह फर्ज है और वह निभाना आवश्यक है । आज हम एक अन्तर्राष्ट्रीयता के युग में रह रहे हैं । अगर हम इस प्रकार के विचार रखेंगे तो निस्सन्देह उन से हानि होनी निश्चित है । यह बात सामने आयी है तो मैं कहना चाहता हूं कि मैं इस बात को मुनासिब नहीं समझता कि कोई मन्दिर मस्जिद में बदला जाये या कोई मस्जिद मन्दिर में बदली जाये । उसका ऐसा उपयोग नहीं होना चाहिये कि जिस से उस कम्युनिटी को हमेशा यह महसूस होता रहे कि ऐसा करना उचित नहीं था । बल्कि मैं यह ज़रूरी समझता हूं कि वह इमारत चाहे कस्टोडियन के हाथ में हो या किसी और के हाथ में हो, उसकी रक्षा करना और उसकी पवित्रता की रक्षा करना सरकार का कर्तव्य होना चाहिये । ऐसा ही हमने अभी तक माना है और किया है और ऐसा ही हमको करना चाहिये ।

इस संशोधन में जो विशेष रूप से आपत्ति की जाती है वह यह है कि हिन्दुस्तान में बहुत सारे शहरी एक वक्त में अपनी जगह से उखाड़ पछाड़ के दिनों में दूर दराज चले गये थे, उनकी कुछ प्रापर्टी है, कुछ मकानात हैं, या कुछ हिस्से हैं जिन्हें वह अब दोबारा लेना चाहते हैं । तो आज के दिन जब उसका असर किसी शरणार्थी पर पड़ता है तो कहा जाता है कि हम उन केसेज़ को रिओपन या रिव्यू कर सकते हैं । मेरा ख्याल यह है कि हमें इस बात को मंजूर कर लेना चाहिये

[श्री राधा रमण]

क्योंकि कम्पेनसेशन हमने इस उसूल पर नहीं दिया है कि जो कुछ भी इवेक्वी प्रापर्टी है उसी आधार पर हम कम्पेन्सेशन दे रहे हैं । कम्पेन्सेशन हमने इस उसूल पर देना स्वीकार किया है कि जो लोग आज यहां पर आये हुये हैं उनको अपने आप को फिर से बसाने का अधिकार है ताकि वे आजाद अथवा इन्सानी जिन्दगी बिता सकें । उसके लिये जितना रुपया सरकार दे सकती है उसे देना चाहिये । अगर सरकार ऐसा नहीं करती तो हमें सदन में बैठ कर सरकार से कहना चाहिये कि इस काम के लिये ज्यादा रुपया मिलना चाहिये । अगर अब तक चार आने का हिस्सा रखा गया है और हम समझते हैं कि वह कम है और ६ आने का हिस्सा होना चाहिये, तो हमको इसके लिये अपने मिनिस्टर की ओर सरकार को मनाना चाहिये कि वह रुपये की मात्रा बढ़ाये । लेकिन अगर हम यह मान लेते हैं कि कम्पेन्सेशन का आधार इवेक्वी प्रापर्टी ही है और हमें यह फ़िक्र और चिन्ता हो कि हम उसकी जल्दी से जल्दी वसूलयाबी करके ज्यादा दे सकते हैं तो हमको इस बात का ध्यान भी जरूर रखना चाहिये कि हम जो भी करें वह इनसाफ के बुनियादी उसूल पर कायम हो और यह हमने पहले से माना हुआ भी है । यानी जो आदमी हिन्दुस्तान में रहने वाला है, जो कि हिन्दुस्तान का शहरी है, उसको किसी तरह से भी यह महसूस करने का मौक़ा नहीं देना चाहिये कि उसके साथ इन्साफ नहीं हुआ । अगर कोई वाक़ई हिन्दुस्तान का शहरी है लेकिन एक मौक़ा आया कि जब वह यहां से उजड़ गया और दूसरी जगह चला गया तो आज भी उसे यह हक होना चाहिये कि अगर वह हिन्दुस्तान का शहरी है, चाहे कितना ही समय क्यों न गुजर जाय, कि इन्साफन जो चीज उसे मिल सकती है वह उसे मिलनी चाहिये । इसका खराब असर अगर रेफ्यूजीज (शरणार्थियों) को पहुंचता है तो उस असर को हमें जायल करने के लिये रुपया मुहैया करना चाहिये और अपनी आवाज उठानी चाहिये। मुझे इस बात का यक़ीन है और मैं दावे के साथ कह सकता हूं कि इवैकुई प्रापर्टी (निष्क्रान्त सम्पत्ति) के लिये जो १०० करोड़ रुपया रक्खा गया है वह रक़म नाकाफी है और यह रुपया ही इस बात का सबूत नहीं है कि सरकार ने कम्पेन्सेशन देना मंजूर किया है । सरकार ने मुआविजा देना मंजूर इस लिये किया है कि वह यह समझती है कि जो घर उजड़े हैं या जो खानदान उजड़े हैं और जिन को तकलीफ़ात हुई हैं उन को फिर से बसाना हमारा कर्तव्य है उनको कम से कम ऐसी हालत में रख देना, कम से कम मैं इसलिये कहता हूं कि हो सकता है कि कम से कम और ज्यादा से ज्यादा में हमारा मतभेद हो, इस लिये मैं कम से कम मुआविजे की बात कहता हूं कि कम से कम हमें ऐसा कम्पेन्सेशन जरूर देना है कि जिस कम्पेन्सेशन को हम ज्यादा से ज्यादा अपने हाथ से दे सकें और उसमें इवैकुई प्रापर्टी एक हिस्सा है । मैं यह अर्ज करूंगा कि यह सिद्धान्त, यह बुनियादी उसूल कि आज जो मुआविजे का उसूल माना गया उसका असर, इस एंडमिनिस्ट्रेशन आफ़ इवैकुई प्रापर्टी बिल के कारण मुआविजे पर हो, हां जो इसमें धारायें हैं उनका असर रेफ्यूजीज पर पड़ सकता है, लेकिन अगर वह न्यायसंगत है तो हमें मानना चाहिये और अगर वह न्यायसंगत नहीं है तो इस बिल के अन्दर कोई ऐसी बात नहीं है कि जो मानने के लिये कही जा रही हो क्योंकि मैं यह समझता हूं कि हमारे मुल्क ने बड़े अच्छे सिद्धान्तों पर अपनी सरकार को और अपने तमाम शासन को चलाया है और कुछ उसका असर भी दुनिया पर इतना अच्छा पड़ा है कि आज इस बात का सिक्का जमा है कि हमारे देश की सरकार तुलनात्मक दृष्टि से न्याय की ओर झुकती है, इन्साफ़ की तरफ झुकती है और ग़लत रास्ते पर नहीं जाती है । इस लिये

सभापति महोदय मैं निहायत अदब से अर्ज करूंगा कि यह विधेयक जो हमारे सामने आया है इस बुनियाद पर रखा जा रहा है कि ५, ६ वर्ष के तजुर्बे से हमने कुछ सीखा है, उसमें जो कठिनाइयां हम को मालूम हुई हैं, उन कठिनाइयों को हम दूर करना चाहते हैं। यह बात हमारे आपके और सब के बीच में एक मत से मानी गई है कि इवैकुई प्रोपर्टी का जो इन्तजाम शुरू से चला वह निहायत ही गन्दा था और उसमें सैकड़ों गलतियां हुईं और उसके अन्दर जो काम करने वाले लोग थे उन्होंने जो कुछ करके नतीजा दिखलाया वह भी तसल्लीबख्श नहीं था जैसा कि हमने आशा की थी। इस लिये हम चाहते हैं कि यह जल्द से जल्द खत्म हो। हम चाहते हैं कि यह लानत जो हमारी सरकार के ऊपर है यह जल्द से जल्द खत्म हो लेकिन इस सब के माने यह नहीं हैं कि जो न्याय कहता है, इन्साफ कहता है, या दलील कहती है, और जो हमने अब तक बुनियादी उसूल अपनी सरकार के सामने और अपने सामने रक्खे हैं, उनमें किसी किस्म की कमजोरी दिखा कर या किसी किस्म की कम्प्रोमाइज करके हम कोई कदम उठावें। हम उन उसूलों से नहीं हटना चाहते। हमें इस बात का भी ख्याल रखना चाहिये कि हमारे मुल्क के अन्दर आज भी ४ करोड़ ऐसे मुसलमान हैं जिनको कि हम हिन्दुस्तान के शहरी मानते हैं और इस नाते उनको भी वही हक़ हासिल हैं जो कि एक हिन्दू शहरी को यहां पर हासिल हैं इस लिये अगर वहां कुछ ऐसी बात होती है जिसमें एक भी मुसलमान यह महसूस करता है कि मेरे साथ न्याय और इन्साफ नहीं हुआ, तो हमें ऐसे कानून को नहीं रखना चाहिये।

मैं चाहता हूं कि सदन यह खयाल रखते हुये इस विधेयक को पास करे और इस सिलसिले में जो संशोधन आये हैं उनको कसौटी पर कस कर और तराजू पर तौल कर अगर वे न्यायसंगत हों तो उनको स्वीकार कर ले वरना अस्वीकार कर दे। जहां तक पंडित ठाकुर दास भार्गव के संशोधन का सम्बन्ध है जिसमें उन्होंने सुझाया है कि यह बिल प्रवर समिति को सौंप दिया जाय और वहां पर इस पर विचार हो कर दो, तीन रोज के बाद यह पास हो तो मुझे इसमें कोई आपत्ति नहीं है और मैं इस विधेयक को मंजूर करने की सिफारिश करता हूं।

Shri D. C. Sharma (Hoshiarpur): Whenever any Bill comes up before this House dealing with the problem of refugees or evacuees, I view it with the utmost scepticism. My scepticism is not due to the fact that I do not believe in the noble intentions of our Government or in the noble purpose of the Ministry of Rehabilitation; but, I believe that we have been making all these laws with regard to refugees and evacuees in great haste without taking into account all the facts of the case, without having any thought for yesterday or for tomorrow. Haste and lack of forethought have been the characteristics of the laws framed for the good of these persons.

Look at the Administration of Evacuee Property Act. It was passed over 8 years ago; certain provisions were repealed in 1953; it was amended in 1954 and again amended in 1955. It means that we do not know our mind. We do not know what the problem is, and even if we know it, we do not know how to face it. The fact of the matter is that we have been administering the refugee rehabilitation and all those allied things in a spirit which is not conducive to the good name of our administration. What are we going to get out of this? I ask this question myself because I am as much responsible for that as anybody else. We are going to have a large number of administrators and we are going to call them by various names. All those names are there. We have got these names in all our Ministries and we have come across them here also. There are going to be a Custodian-General, Custodians, Additional Custodians, Deputy Custodians, Assistant Custodians and so on.

Shri Radha Raman: They were there.

Shri D. C. Sharma: They were there, but they have no right to be there.

Shri Mehr Chand Khanna: I wish I could get rid of some of them.

Shri D. C. Sharma: If I were you, perhaps I would have done it. We are doing one simple thing; we are multiplying the number of officers.....

Shri K. K. Basu (Diamond Harbour): We have to rehabilitate them also.

Shri D. C. Sharma: .... and we are trying to defeat the very purpose for which the Ministry over which my hon. friend, Shri Khanna, presides so ably, is constituted. I do not think anybody need go very far to know how this administrative paraphernalia is working. He has only to go to one of the parts in Delhi or any other place and he will know how it is working. My friends over here say that we should not do any injustice to the Muslims. I agree with them, because a Muslim is as much a part of our country as anybody else. But, I also say that while you are thinking of not doing injustice to any Muslim, which is a very good thing, you should also think of doing justice to the refugees who claim compensation. Why are all these laws being amended? They are being amended only to see that the date of payment of compensation may be put off as long as possible. We evolve one procedure one day, another procedure the other day and a third procedure some other day. Of course, it is said that we are going to simplify the procedure so that the compensation problem is solved very easily. I would like to see how this compensation problem is going to be solved very expeditiously. I do not think that would be possible because we are living in a frame of mind when we do not know what we should do on the one hand to satisfy the claims of the refugees and on the other hand, to avoid injustice to those persons for whom this Amendment Bill is intended. Therefore, I would say that this talk of simplification of procedure is all very well on paper.

Shri K. K. Basu: Too tall.

Shri D. C. Sharma: But, I can assure you that in actual practice, this is not going to work in that way. Cases are pending and they will continue to be pending. Even when we bring all this machinery into being, I do not think that there will be any judicial haste on the part of these persons. I would say that it is necessary that these things should be done after due deliberation, after calm consideration and after mature thought. That is what is not done. Therefore, the whole trouble arises.

My hon. friend Pandit Thakur Das Bhargava has put forward a very simple proposal and that has been put forward only for this reason that we should be able to plug whatever holes there are in our law and that the whole thing may be done in a very efficient manner. Even this simple proposition is not being assented to. I do not know why. Therefore, I would say that it is very necessary that when we deal with the refugees, we should not hurt one side or the other, intending evacuee or other evacuees. It is necessary that we should support the amendment of Pandit Thakur Das Bhargava.

A question has been raised about the properties of religious and charitable nature. Of course, there are some friends of mine who say that it does not make any difference whether you turn a mosque into a temple or a temple into a mosque. I say this is a very dangerous proposition for anybody to enunciate on the floor of this House. More harm will come to us on account of saying a thing like that than good. I know all persons are not persons of such catholic sympathies as some of us are. I would say that a mosque should remain as a mosque and a temple should remain as a temple. We should look after the mosques and they will look after our temples in Pakistan. We are bound to look after the mosques.

Shri Nand Lal Sharma: Nobody will look after your temples.

Shri D. C. Sharma: If you look after the mosques properly, I am sure they will look after our temples properly.

Shri Nand Lal Sharma (Sikar): They will not.

Shri D. C. Sharma: If they do not, I think they will have to explain their conduct here or elsewhere. If we do not, I think I will have to explain my conduct not only here, but all over India. Therefore, I would say that this talk about turning mosques into temples and temples into mosques will come to the same thing. We are very humble persons with no pretensions to saintliness or anything else. They should remain as they are. I would agree with Shri Kazmi that if any trustees are to be appointed for religious and charitable organisations, power must be given to those who are really competent to administer them, who are real representatives of the people and we should not give power to those persons who are not representatives of the people.

Shri Nand Lal Sharma: Don't give it to Shri V. G. Deshpande.

Shri D. C. Sharma: For me there is no difference between myself and Shri V. G. Deshpande. The difficulty is this:—you try to emphasise the difference; I do not know where it lies. Shri V. G. Deshpande is as good a citizen of India as I am, or as you. I do not know where the difference lies. If you are keen on emphasising differences, I can't help it. I would only pray to God that you should have the same feelings as I have.

I would make an appeal to my hon. friend Shri Mehr Chand Khanna. I know about a Minister in this House. I said to him, "whenever you come with any proposal, there is a great deal of opposition." He said, "Don't bother; there is one gentleman on my side; so long as he is on my side, I can get anything through." I would say that this is a good attitude. But, a better attitude is this, that Shri Mehr Chand Khanna should be able to carry us along with him. He should be able to bank upon our wholehearted co-operation. We have always tried to do so and even in this matter he should carry us along with him so that he can face the public in the spirit which is in consonance with the spirit of our Government. Not much time would be wasted, not much prestige would be destroyed and no status would be lost, if you agree to the amendment moved by Pandit Thakur Das Bhargava. If you do so, this Bill will be amended and put in a better shape and will be such as would help the Muslims and the refugees from West Pakistan who claim compensation.

श्री वि० ग० देशपाडे (गुना) : माननीय सभापति महोदय, मैं पंडित ठाकुर दास जी ने जो सूचना दी है उस का समर्थन करने के लिये खड़ा हुआ हूं । मैं यह मानने के लिये तैयार नहीं हूं कि यह विधयक केवल इसलिये उपस्थित किया गया है कि प्रोसीजर को सिम्पलीफाई किया जा सके और जो गड़बड़ पैदा हो गई है उसको सीधा किया जा सके ।

[MR. DEPUTY-SPEAKER *in the Chair*]

तो मैं यह नहीं मानता कि इस से प्रोसीजर सिम्पलिफाई होगा और हो सकता है कि इस से और भी कम्पलिकेशन्स पैदा हो जायें । मैं तो समझता हूं कि इस से कम्पलिकेशंस ही पैदा होंगी । आप सैक्शन ४० में संशोधन कर रहे हैं और मैं उस की तरफ आप का ध्यान आकर्षित करना चाहता हूं । आप ने इस में कहा है "has not left or does not leave....." मैं बहुत ज्यादा इस के अन्दर जाना नहीं चाहता हूं । यह देखना कि यह अच्छा विधान है या नहीं विधान के पंडितों का काम है । मुझे तो इतना ही डर मालूम होता है कि सरकार की नीति इस के विषय में बहुत ही अस्पष्ट रही है । एक तरफ से तो यह कहा जाता है कि हम पैसे देने वाले हैं और अगर लोग यहां पर जो

[श्री वी० घ० देशपांडे]

सम्पत्ति छोड़ कर गये हैं उस में से हम देंगे। लेकिन जब हम उन के पास जाते हैं और मांग करते हैं कि इस प्रापर्टी की कीमत बढ़ा दो या इस की कीमत कम कर दो तो हम से कहा जाता है कि कम्पेंसेशन कहां से देंगे। जब कभी भी कोई बात ले कर हम जाते हैं तो सब दुनिया की बातें हमें सुनाई जाती हैं और कहा जाता है कि यह धर्म-निरपेक्ष राज्य है, सब नागरिकों के अधिकार समान हैं। मैं कहना चाहता हूं कि इस का तो हम ने कभी विरोध नहीं किया कि सब नागरिकों के अधिकार समान क्यों हैं। हम तो यही कहते हैं कि आप हम को पैसे दें लेकिन इस के जवाब में आप हमें उंगली दिखाते हैं और कहते हैं कि इतना रुपया है और इस में से ही पैसा आप ले सकते हैं। लेकिन जब हम कहते हैं कि इस प्रापर्टी की कीमत इतनी हो और इस की इतनी तो एक तरफ आप हमें दुनियादारी की बातें बताते हैं और न्याय नीति की बातें सिखाते हैं और दूसरी तरफ आप ने प्रापर्टी को बिना किसी कानूनी व्यवस्था के उठा कर देने के पावर को आप ने अपने हाथ में ले लिया है। तो मेरी तो गवर्नमेंट से एक ही प्रार्थना है और मैं खन्ना साहब से कहना चाहता हूं कि वह अपने घर में ही ठीक ठीक तरीके से पूछें कि कहां से मुआवजा दिया जाय। इस चीज को उन्हें हम से पूछने के बजाय अपने घर से पूछना चाहिये। हमें कभी यह कहा जाता है कि डिवलपमेन्ट, प्राजैक्ट्स बन्द करनी पड़ेंगी, भाखड़ा नंगल पर जो कार्य हो रहा है उस को बन्द करना पड़ेगा और यह करना पड़ेगा और वह करना पड़ेगा। तो बात यह है कि आप अपनी सरकार से ही पूछें कि क्या वह आप को यह पैसा देने वाली है या नहीं। इस रकम का उत्तरदायित्व सरकार ने अपने ऊपर लिया है या नहीं, यह बात पहले स्पष्ट होनी चाहिये। अगर उस ने लिया है और ऐसे कहने की पूरी जिम्मेदारी आप की सरकार आप को देती है, तब ही आप मुआवजे की बातें कीजिये और उस अवस्था में आप यह न कहिये कि हम कम्पेन्सेशन कहां से दें। यहां पर इस बात की चर्चा की गई है कि किसी के साथ अन्याय नहीं होना चाहिये और सब के साथ न्याय होना चाहिये। किन्तु मेरा निवेदन यह है कि हमारे सामने यह प्रश्न नहीं है। यह हम मानते हैं कि हर एक नागरिक के साथ न्याय होना चाहिये, लेकिन उस का तरीका यह नहीं है कि रेफ्यूजी की प्रापर्टी हम दूसरों को दें। अगर आप वास्तव में न्याय करना चाहते हैं, तो आप यह निर्णय कर दीजिये कि आप इवैकुई प्रापर्टी पूल के आधार पर शरणार्थियों को मुआवजा देंगे और इस की घोषणा करने के पश्चात् इवैकुई प्रापर्टी पूल में से एक पाई भी कम न होने दें। उस के बाद अगर आप न्याय करना चाहते हों, तो मैं कहूंगा कि यदि आप देखें कि कोई सम्पत्ति न्याय रूप से मुसलमान की है और उस को मिलनी चाहिये, तो आप उस को कहें कि तुम्हारी प्रापर्टी हम ने पूल में डाल दी है और हम को तुम्हारे साथ न्याय करना है, इसलिये हम सरकार की ओर से उस की कीमत तुम को दे देते हैं और सरकार उस को अपने पास से सब पैसा दे दे। श्री राधारमण ने कहा कि सरकार पैसा जरूर देगी, लेकिन किसी के साथ अन्याय नहीं होना चाहिये। इस में मैं उन के साथ हूं, लेकिन हमारी सरकार पैसा देने के लिये तैयार खड़ी है, यह मैं मानने के लिये तैयार नहीं हूं। जब तक हमारे मिनिस्टर साहब यह आश्वासन हम को नहीं देते हैं कि पचास करोड़ रुपये, सौ करोड़ रुपये कम्पेन्सेशन के रूप में हम आज और अभी—हेयर एंड नाउ—देने के लिये तैयार हैं, तब तक मैं इस बात पर विश्वास करने को तैयार नहीं हूं। यह घोषणा उन से लेने के बाद आप इस कम्पेन्सेशन पूल के साथ खेल कर सकते हैं। मैं समझता हूं कि यह खेल इस समय रेफ्यूजीज

को मारने के लिये चल रहा है । मेरा कहना यह है कि आप दोनों तरफ की बातें न कीजिये । पाकिस्तान में क्या हो रहा है, यह हम देख रहे हैं । यहां पर कहा गया है कि इवैकुई प्रापर्टी एडमिनिस्ट्रेशन के बारे में शिकायत है । लेकिन यह शिकायत तो रिफ़्यूजीज को तरफ से होनी चाहिये, जिनका कि पूल पर वास्तविक अधिकार है और जिन को वह मिलना चाहिये । हम जानते हैं कि किस प्रकार ऊपर से चिट्ठियां आती रहती हैं, दबाव डाला जाता है और वास्तविक, सच्ची इवैकुई प्रापर्टी कितने बड़े परिणाम में वापिस की जा रही है । अगर शिकायत करने का सवाल हो, तो शिकायत तो हम लोगों को होनी चाहिये, दूसरे लोगों के शिकायत करने का प्रश्न ही नहीं है । मुझ तो इस बात का डर है कि यदि हम सरकार के हाथ में अधिक अधिकार देते हैं, तो यह इवैकुई प्रापर्टी पूल समाप्त हो जायगा ।

जहां तक रिलिजस ट्रस्ट्स का सवाल है, मैं बिल्कुल यह नहीं कहता कि किसी मस्जिद को ले कर उस को मन्दिर बना दिया जाय और न ही लाला अचिंत राम जी ने यह कहा है । हम जानते हैं कि इस देश में अनेक मन्दिरों की मस्जिदें बनाई जा चुकी हैं, लेकिन हमारी सरकार और माननीय सदस्य उस का खयाल नहीं करते हैं आज जान बूझ कर हमारे दिल पर ठेस पहुंचाई जा रही है, लेकिन इतना होते हुये भी, पाकिस्तान में अत्याचार होते हुए भी, मैं इस बात के पक्ष में नहीं हूं कि चूंकि मैं अपने धर्म से प्रेम करता हूं, इसलिये दूसरे के धार्मिक स्थानों को बिगाड़ दिया जाय या उन को जान बूझ कर मन्दिरों और गुरुद्वारों में परिवर्तित कर दिया जाये । लेकिन मैं इतना जरूर कहूंगा कि जो मस्जिदें आज ऐसे ही पड़ी हुई हैं, उन के पाविब्य को कायम रखते हुए और उन का पूरा आदर करते हुए, यदि उन का सदुपयोग हो सकता है तो वह किया जाना चाहिये और यही सुझाव श्री अचिंत राम ने रखा है । श्री अचिंत राम ने यह नहीं कहा कि जिस प्रकार से काशी के विश्वनाथ मन्दिर के सिर पर मस्जिद बिठाई हुई है और राम-जन्मभूमि के मन्दिर के विषय में विवाद खड़ा किया गया है, उसी प्रकार का व्यवहार हम मस्जिदों के साथ करें । इन मन्दिरों के विषयों में तो हमारी सरकार कुछ नहीं कर रही है । उलटे हम लोगों को दबाती है । आज मैं देख रहा हूं कि एक वर्ग विशेष और उस के धार्मिक स्थानों के लिये आज सब का दिल दुख रहा है और उन के लिये अपनी चिन्ता और सहानुभूति प्रकट करने में हमारे मेम्बरों की एक प्रकार से क्यू लग गई है । ज्यों ज्यों इलेक्शन (निर्वाचन) नजदीक आता जाता है, त्यों त्यों उन के लिये दिल अधिक दुख रहा है । हमारा दिल भी दुखता है, लेकिन इस्लाम धर्म यह नहीं कहता है कि मस्जिद का सदुपयोग नहीं करना चाहिये, उस में बच्चों को शिक्षा नहीं दी जानी चाहिये और किसी अच्छे उपयोग के लिये अल्लाह का घर नहीं लिया जाना चाहिये । इस समय तो हमारी प्रार्थना यह है कि इस विधेयक की वर्डिंग और ड्राफ्टिंग ठीक तरीके से हो ताकि बाद में अधिक नुक्सान न हो । इस उद्देश्य की पूर्ति के लिये यदि हम को दो चार दिन ठहरना पड़े, तो कोई बड़ी हानि की बात नहीं है । आप को पार्टी के सदस्य श्री भार्गव ने यह प्रस्ताव रखा है । आप उस को स्वीकार कीजिय और इस सदन के सदस्यों और विधान-पंडितों से मश्विरा करने के लिये इस को सिलेक्ट कमेटी के पास भेजिये, इतनी ही उन की प्रार्थना है और मैं उन का समर्थन करता हूं ।

श्री मेहर चन्द खन्ना : जनाब डिप्टी स्पीकर साहब, मैं ने तमाम तकरीरों को सुना है । मुझे खुशी है कि जहां तक इस कानून के बुनियादी उसूल का ताल्लुक है, सब ने इस की सराहना की है । किसी मेम्बर साहब ने—चाहे उस का मेरी पार्टी से

[श्री मेहर चन्द खन्ना]

ताल्लुक है या हिन्दू महासभा से या मुखालिफ़ पार्टी से—इस के बरखिलाफ आवाज नहीं उठाई है । दो तीन बातें हैं, जोकि किसी हद तक मेम्बर साहबान को तकलीफ दे रही हैं । बाज यह समझते है कि मुमकिन है कि इस कानून के पास होनें से शरणार्थी को जो इवज़ाना (प्रतिकर) मिलना है शायद उस को नुक्सान पहुंचे और बाजों का यह ख्याल है कि जिस रफ्तार से हम चल रहे हैं, उस से जो लोग शायद पाकिस्तान चले गये हैं या हिन्दुस्तान के असली मानों में नागरिक नहीं हैं, उन को निकासी जायदाद, जिस के मुताल्लिक आज तक या उस वक्त तक, मुकदमात चल रहे हैं, शायद गैर-कानूनी तरीके से, नाजायज तौर से वापिस न मिल जाय । मैं इन दोनों बातों की थोड़ी वजाहात के साथ सफ़ाई कर देना चाहता हूं ।

जहां तक शरणार्थी का ताल्लुक है, उस को इवज़ाना देने की स्कीम इसी हाउस में पिछले साल सितम्बर के महीने में पास हुई । आप ने इस सिलसिले में एक स्केल मुकर्रर कर दिया और यह फैसला कर दिया कि जिस भाई ने दो हज़ार का क्लेम किया है, उस को ६६ फीसदी मिलेगा और जैसे जैसे क्लेम बढ़ता जायगा वैसे वैसे स्केल कम होता जायगा और आखिर में सीलिंग लग जायगी । स्केल मुकर्रर करते वक्त हम ने यह भी देख लिया था कि पाकिस्तान से—मेरा इशारा मगरिबी पाकिस्तान से है—जो हमारे शरणार्थी भाई आये हैं, वे कितनी जायदाद छोड़ आये हैं । तखमीना ५०० करोड़ रुपये का है । इसी तरह हम ने निकासी जायदाद का भी तखमीना लगा लिया था यानी १०० करोड़ रुपये और गवर्नमेंट ने जो ८५ करोड़ रुपये की ग्रांट दी है, वह भी हमारे सामने थी । उस स्केल के मुताबिक—जोकि एक फ़ैसलाशुदा चीज है—शरणार्थी को कम्पेन्सेशन मिल रहा है । अक्तूबर के आखिर तक उस को ४१ करोड़ रुपये के करीब इवज़ाना मिल चुका है । मुझे कैश रकम याद नहीं है, लेकिन सितम्बर के आखिर में जो रकम थी, वह ३८ करोड़ थी, जिस में से २६ करोड़ नकद था और १२ करोड़ वह था, जिस को पब्लिक ड्यूज कहते हैं —जो हम ने शरणार्थी भाई से लेना है, चाहे वह मकान की कीमत हो, चाहे कर्जा हो और दूसरी चीज यह थी कि जो हम ने जायदाद निलाम की है, वे दोनों चीजें १२ करोड़ की हैं और जो उन को नकद इवज़ाना हम ने दिया है, वह २६ करोड़ का है । अक्तूबर में वह फ़िगर ४१ करोड़ हो गई । मुमकिन है कि नकद इवज़ाना २७ करोड़ हो, २८ करोड़ हो—मुझे याद नहीं है । बतौर वज़ीर मुझ पर और मेरे भाई भोंसले पर जो फ़रायज आयद होते हैं, वे दो हैं । एक तो है शरणार्थियों को बसाना और दूसरा है यह देखना कि कहीं ना-इन्साफ़ी, नाजायज तौर पर, गैर-कानूनी तौर पर, वे मुसलमान भाई, जोकि हिन्दुस्तान के नैशनल (राष्ट्रजन) हैं, जोकि सौ दस वर्ष से यहां रह रहे हैं, जिन के मुकदमात चल रहे हैं, हमारी ग़फ़लत से उन बेचारों की जायदाद, जोकि गैर-निकासी हो, निकासी करार न दे दी जाय । तो मेरे और मेरे भाई के सामने जो मेयार (कसौटी) है वह यही है कि जहां हम शरणार्थी भाइयों को बसाना चाहते हैं वहां हम यह भी चाहते हैं कि वह भाई जोकि इस सिक्यूलर स्टेट (धर्म निरपेक्ष राज्य) के नेशनल हैं, जिन को फंडामेंटल राइट्स (मूल अधिकार) एश्योर्ड (निश्चित) हो चुके हैं, जोकि ९ या १० बरस से हिन्दुस्तान में रह रहे हैं, उन भाइयों में कानफिडेंस (विश्वास) पैदा करें और ऐतबार पैदा करें । हमेशा के लिये यह चीज नहीं चल सकती । एक वक्त था कि जब मुल्क में आग लगी हुई थी । कोई नहीं समझ सकता था कि मुल्क की क्या हालत होनी है । आज तो दस साल गुजर गये ।

पर क्या आज भी हम अपने उन भाइयों से उन को इत्मीनान दिलाने के लिये यह नहीं कह सकते कि जो होना था सो तो हो चुका पर हम चाहते हैं कि जो मुकदमात आज पड़े हैं उन का जल्द फैसला किया जाये। हम ने यह नहीं कहा कि नाजायज तौर पर किसी की जायदाद छोड़ दें।

श्री वि० ग० देशपांडे : छोड़ी है और छोड़ेंगे।

श्री मेहर चन्द खन्ना : लेकिन मैं यह यह भी समझता हूं कि अगर हमारी मिनिस्ट्री ने किसी को बसाना है तो हम दूसरे को नाजायज तौर पर उजाड़ कर नहीं बसाना चाहते। यह गलत चीज होगी। तो हमारे यहां बहुत मुकदमात पड़े थे। देखिये कि ६०,००० मुकदमात यहां थे मई, १९५५ में। इसी तरह सेपेरेशन आफ इवेक्वी प्रापर्टी इंटरेस्ट्स एक्ट (निष्क्रमणार्थी हित पृथक्करण) के नीचे शायद उन की तादाद ८०,००० या ९०,००० या ७०,००० हो। इसी तरह से दफा १६ के नीचे ९,००० मुकदमे पड़े थे। डेढ़ दो लाख मुकदमे चल रहे थे और डेढ़ दो लाख कुनबों को परेशानी हो रही थी। उन को रोज असिसटेंट कस्टोडियन के पास, कभी डिप्टी कस्टोडियन के पास, कभी कस्टोडियन के पास और उस के बाद कस्टोडियन जनरल और फिर वजारत (मंत्रालय) के पास जाना पड़ता था। आप समझ सकते हैं कि अगर कोई इन्सान अपने को उस हालत में पाये तो उस के दिल को कितना दुःख होता होगा। तो हम ने सिर्फ वही सोचा, ठीक है १९४७ में, १९४८ में जो भी कानून बना हो, जो आप ने तरीका इस्तेमाल किया हो या जो कानून पास किया हो वह ठीक होगा। लेकिन आज १९५६ के इख्तताम (अन्त) में मैं समझता हूं कि वह तरीका बहुत लम्बा है और इसलिये उस को खत्म करना है। आज हालत यह है कि एक बेचारा भाई यह नहीं जानता कि जो उस की जायदाद उस के पास है वह कल खत्म हो जायेगी या उस के पास रहेगी। दूसरे इसलिये भी मैं चाहता हूं कि इस का फैसला हो जाये ताकि जो जायदाद निकासी पूल में आनी है वह भी जल्दी आ जाये ताकि जिस शरणार्थी को एवज़ाना मिलना है वह मिले। तो मेरे पास आये दिन गिला किया जाता है, मेरे ऊपर गुस्सा किया जाता है, गो कि जो कुछ कहा जाता है वह बिरादराना तौर पर कहा जाता है।

श्री ग० ह० पांडे (जिला अलमोड़ा—उत्तर-पूर्व) : उलाहना।

श्री मेहर चन्द खन्ना : शर्मा साहब कभी कभी बहुत सी बातें कह देते हैं। मुझे उन के लिये इज्जत है। मैं उन को हमेशा प्रोफेसर के नाम से पुकारता रहा हूं, और जब शरणार्थी नहीं बना था तब से उन को जानता हूं। उस वक्त जो भी उन्हों ने अपनी जिन्दगी कार खैर (अच्छे कामों) में दी मैं उस की कद्र करता हूं और जो कुछ भी वह कहते हैं मैं उस की कद्र करता हूं। ठीक है, आप कह दीजिये कि मैं उन बदकिस्मत वजरा (मंत्रियों) में से हूं जो हाउस को अपने साथ कैरी नहीं कर सकता। लेकिन मैं वह नहीं हूं जिस की तरफ उनका इशारा है।

Mr. Deputy Speaker, I do not plead guilty to that charge.

मैं अर्ज कर रहा था कि दो फज हैं जो हमारे ऊपर आयद होते (आते) हैं, निकासी जायदाद का किस्सा बहुत जल्दी खत्म करना और शरणार्थी को जितनी जल्दी भी हो सके उस का एवज़ाना दिलाना। तो इस कानून में मैं ने किया क्या है? मैं ने अपने बुजुर्गों की तकरीर को सुना और मैं सोचता रहा कि ठीक है, मैं ने शुरू में कह दिया था कि जो सिलेक्ट कमेटी (प्रवर समिति) का प्रस्ताव है उसको मंजूर करने का मेरा इरादा नहीं है। लेकिन उन की तकरीर

[श्री मेहर चन्द खन्ना]

सुनने के बाद और दूसरे भाइयों की तकरीरें सुनने के बाद मैं ने कोशिश की और ठंडे दिल से सोचा आया मैं अपना खयाल बदल सकता हूं या नहीं । मेरे सामने क्या चीज़ है कि जो मैं अपना खयाल बदलूं । जो चीज़ कि फैसला शुदा है उस के बारे में हम यह कर रहे हैं कि जो उस का प्रोसीज्योरल पहलू है उस को कम किया जाये । दो चार चीज़ मेरे सामने आई ।

पहली चीज़ जो श्री ठाकुर दास जी ने कही वह दफा २० ए० के मुताल्लिक है जोकि पेज ३ पर दी हुई है । उस में कहा गया है :

"Where any evacuee or his heir has made an application under section 16 of the Administration of Evacuee Property Act, 1950, (hereinafter in this section referred to as the Evacuee Property Act), and the Central Government is of opinion that it is not expedient or practicable to restore the whole or any part of such property to the applicant by reason of the property or part thereof being in occupation of a displaced person or otherwise, then, notwithstanding anything contained in the Evacuee Property Act and this Act, it shall be lawful for the Central Government...."

मेरा खयाल था कि इस चीज़ के लिये मेरी सराहना की जायेगी । लेकिन मामला कुछ उलटा ही निकला ।

पहली बात जो मैं अर्ज़ करना चाहता हूं वह यह है कि दफा १६ के नीचे जो सर्टिफिकेट दिया जाता है उस के लिये एक बड़ा एले बोरेट प्रोसीज्योर (लम्बी चौड़ी प्रक्रिया) है । दरखास्त कस्टोडियन के मुहकमे (विभाग) में जाती है, बाकायदा एन्क्वायरी (जांच) होती है, फिर कस्टोडियन जनरल के पास जाती है, वह अपनी राय देते हैं, और फिर हमारी वज़ारत में आती है । तो वज़ारत में हम ने जूडीशियल आफिसर्स (न्यायिक पदाधिकारी) मुकर्रर किये हुए हैं जोकि डिस्ट्रिक्ट और सेशन्स जज के रैंक (दर्जे) के हैं । वह इस चीज़ को देखते हैं और देखने के बाद एक कसौटी है । और वही कसौटी है जो रूल्स बनाये गये हैं दफा १६ के नीचे १५ बी वह रूल्स में शायाशुदा (प्रकाशित) हैं उन म मुख्तलिफ क्लाज़ेज़ (खण्ड) हैं, ए० बी० सी० डी० वग़ैरह और उन में वह शरायत लिखी हैं जिन के कि मातहत वह सर्टिफिकेट मिल सकता है या नहीं मिल सकता है । मैं एक दो क्लाज़ेज़ को ऐवान (सभा) की खिदमत में पढ़े देता हूं :

"Classes of persons to whom certificates under section 16 may be granted: A certificate under section 16 may be granted to the following classes of persons, namely:

(1) any person who, since the last day of March 1947 has continued to reside in India and did not at any time migrate to Pakistan and whose property has been declared as evacuee property;

(2) any person who, on or after the 1st March 1947, migrated from India to Pakistan but returned to India before the 18th July 1948 and has settled therein....."

वह सवा डेढ़ पेज की चीज़ें है और शायाशुदा चीज़ें है । अगर जनाब डिप्टी स्पीकर चाहें तो मैं आप की वसातत से दे सकता हूं और अगर आप मुनासिब समझें तो यह हमारी प्रोसीडिंग्स का पार्ट बन जाय क्योंकि मुझे इस को पूरा पढ़ने के लिये समय चाहिये और मैं इस वक्त आप का समय नहीं लेना चाहता । यह मौजद है और यह इस बात की कसौटी है और इस

*Laid on the Table with the permission of the Deputy-Speaker. *See* Appendix II, annexure No. 81.

बात की एन शहादत देते हैं जोकि मैं ने अपनी तक़रीर में अर्ज़ किया और वह यह है कि जहां ४९७५ केसेज़ दफा १६ के नीचे हमारे पास आये उस में से १७९९ केसेज़ में हम ने रेस्टोरेशन की इजाज़त दी है और ३१७६ केसेज़ हम ने नामंज़ूर किये । कम से कम एक चीज़ मेरे सामने है और वह यह है कि यह जो १७९९ आदमी हैं कम से कम उन का जो वर्षों का डर था वह तो मिटा । क्यों उस के साथ न्याय नहीं हुआ उस की कुछ भी वजह हों, मैं आज बयान नहीं करना चाहता लेकिन उन की जायदाद हम ने ले ली थी और हम ने उन को निकासी जायदाद डिक्लेअर (घोषित)कर दिया था और अगर दफा १६ के नीचे उस की दरख्वास्त नहीं आती और एक जुडिशल तरीक़े से उस का इम्तिहान या एग्ज़ामिनेशन नहीं होता तो यह जायदाद मैं समझता हूं कि एक नाजायज़ तौर पर हमारे इवैकुई पूल (निष्क्रमणार्थी सम्पत्ति पुंज) में आती ।

जनाबवाला, इवैकुई पूल में इस वक्त तक़रीबन २ लाख ७५ हज़ार प्रापरटीज़ (सम्पत्ति) हैं और मैं नहीं चाहता कि चन्द एक प्रापरटीज़ के लिये जोकि क़ानूनन दुरुस्त न हों हम अपने पूल में लायें, उस में हमें कुछ फ़ायदा नहीं हो सकता और मैं समझता हूं कि हिन्दुस्तान के अच्छे नाम पर, सुनहरी नाम पर एक बट्टा लगने वाला है । लेकिन जहां मैं आप से यह कहता हूं और जहां मैं यह दावे से कहता हूं कि हर एक केस को हम ने क़ायदे से निबटाया, मैं हाउस को यह भी तसल्ली दिलाना चाहता हूं कि जहां हिन्दुस्तानी नेशनल्स (राष्ट्र जनों) की मैं जायदाद नहीं लेना चाहता वहां मैं किसी पाकिस्तानी नेशनल की जायदाद भी छोड़ने के लिये तैयार नहीं हूं, यह आप मुझ से तसल्ली ले लीजिये ।

एक चीज़ मैं और अर्ज़ कर देना चाहता हूं और उस के लिये मैं पंडित ठाकुर दास भार्गव की तवज्जह अपनी तरफ मबज़ूल कराना (दिलाना) चाहता हूं । यहां जो हम तरमीम लाये हैं और जहां मैं अपने मुसलमान भाइयों के लिये समझता हूं कि जितनी जल्दी हो सके यह मुहकमा खत्म हो और यह मुक़दमात फ़ैसल हों वहां मैं यह भी समझता हूं कि दफा १६ के नीचे जब हम किसी की दरख्वास्त मंज़ूर करते हैं तो उस की जो जायदाद है वह उस को वापिस मिलनी होती है । हमारे पास पंजाब से और दूसरे सूबों से केस आये और वह केस यह हैं कि जहां आप ने दफा १६ के नीचे मिसाल की तौर पर गुड़गांव के इलाक़े में दीन मुहम्मद को २०० एकड़ ज़मीन उस को वापिस दे देने का हुक्म दे दिया, अब सात वर्ष से एक शरणार्थी वहां परं बसा हुआ है, वह ज़मीन उस को एलौट हो चुकी थी, उस बेचारे ने उस पर अपना घर बनाया था और यही नहीं बल्कि उस ने उस पर खर्चा किया है ताकि ज़मीन को इम्प्रूव करे और इम्प्रूव करने के बाद उस की आबादकारी हो । हम ने यह समझा कि सात वर्ष के बाद उस शरणार्थी को वहां से उठाना शायद हमारे लिये इतना आसान नहीं है और दूसरे हम ने यह भी समझा कि इस से उस की जो आबादकारी है उस को शायद भारी नुक़सान पहुंचे । इसलिये हम यह अमेंडिंग बिल (संशोधन विधेयक) लाये और हम नें यह पावर (शक्ति) अपने हाथ में ली है । अव्वल तो हमारी ख्वाहिश (इच्छा) होगी कि जहां दफा १६ के नीचे किसी जायदाद के वापिस होने का हुक्म देते हैं तो हमारी ख्वाहिश यही होगी कि उस बेचारे को जिस का कि कोई क़सूर नहीं है उस को अपनी ज़मीन और अपने बाप दादे का मकान वापिस मिलना चाहिये । मैं जानता हूं कि एक इंसान को अपने बाप दादे की जायदाद और मकान से कितना प्यार होता है । मैं खुद जानता हूं मुझे तकलीफ़ होती है और मुझे भी अपने बाप दादे के घर की याद आती है । जिस इंसान का कोई क़सूर

[श्री मेहरचन्द खन्ना]

नहीं और जो हमारे डिपार्टमेंट (विभाग) की लपेट में आ गया तो अगर हम को उस को उस का मकान वापिस नहीं कर सकते तो उस के लिये हम अपने हाथ में यह पावर ले रहे हैं कि उस को आलटरनेटिव होल्डिंग (दूसरी जमीन) दे दी जाय, उस को कैश दे दिया जाय या जमीन दे दी जाय या कैश और जमीन दोनों चीजें उस को दे दी जाय। मुझे यह खयाल था कि मेरे दोस्त जिन के कि दिल में रेफ्यूजीज के लिये काफी मोहब्बत और प्यार भरा है वह मुझे इस में दाद देंगे कि तुम ने शरणार्थियों को उजड़ने से बचाया है।

यह तो एक चीज हुई। इस के अलावा मुझे दो एक चीजों की बाबत और अर्ज करना था और जिन की कि बाबत में दी तीन मिनट में जवाब दे दूंगा।

दूसरी चीज ट्रस्ट है। इस की बाबत नजर यह आता है कि ट्रस्ट के मुताल्लिक़ भी आम भाइयों को शायद कुछ गलतफहमी है। आज हम यह फैसला नहीं कर रहे हैं कि ट्रस्ट की जायदाद क्या होनी है और क्या नहीं होनी है। नेचर आफ दी ट्रस्ट क्या है। आज जो चीज मैं आप के सामने लाया हूं वह यह है कि नौ वर्ष गजर गये, जो आप का पहला कानून था जिस में यह था कि अदालत दीवानी में यह चीज जायगी, वहां से ट्रस्टीज मुकर्रर होंगे, उस का नतीजा आज यह निकला है कि बहुत थोड़े केसेज में हम यह फ़सला कर सके हैं।

मैं यह पावर अपने हाथ में इसलिये ले रहा हूं कि जब मैं यह समझता हूं कि मेरी जिम्मेवारी इवैक्वी प्रापर्टी ला के नीचे दफा १६ की हो या दफा ५ की हो या ट्रस्ट की हो इस तरह से निभाना है कि बजाय इस के कि यह चीज एक लम्बे अर्से के लिये अदालते-दीवानी में पड़ी रहे, हम चाहते हैं कि अपनी मिनिस्टरी में ले लें। मैं कोशिश करूंगा कि इन ट्रस्टों की प्रापर्टी को हैंडल करने के लिये एक जूडिशल आफिर हो ताकि नजरिया तो वही हो जोकि अदालते दीवानी में होता है लेकिन जो एक लम्बी चीज चलती है, मैं कोशिश करना चाहता हूं कि उस को बहुत जल्द खत्म कर दिया जाय।

17 HRS.

दुबे साहब ने दो तीन चीज कही हैं। अब शायद वह हाउस में नहीं हैं। लेकिन मैं चाहता हूं कि उन का जवाब दे दूं। उन्हों ने साफ तौर पर कहा है कि पहले तो अपील कस्टोडियन के पास जाया करती थी लेकिन अब हम ने २,००० के नीचे के केस वहां रोक दिये हैं बाकी जो बड़ी अपील्स हैं वे कस्टोडियन जनरल के पास जायेंगी या नहीं प्वाइंट आफ ला हो वे केस कस्टोडियन जनरल के पास आयगे। वह चीज हमारे सामने उस वक्त भी थी। तो मैं जानता हूं कि जिस आदमी का केस हैदराबाद में हो रहा है और उस की अगर जायदाद २,००० से ज्यादा कीमत की है तो उस बेचारे को अगर दिल्ली आना पड़ता है तो यह शायद उस के लिये तकलीफदेह साबित हो। तो मेरा इरादा यह है कि मैं कस्टोडियन जनरल और डिप्टी कस्टोडियन जनरल को यह हिदायत दूं कि जहां इस किस्म के केस हों और अगर वे ज्यादा हों तो बजाय इस के कि वे लोग वहां से चल कर दिल्ली आय वे ही बराये मेहरबानी दिल्ली को छोड़ कर वहां जावें और वहां पर बैठ कर उन लोगों के जो मामलात हैं उन को सुन कर फैसला कर दें। इस का एक कारण यह भी है कि अगर खुद कस्टोडियन जनरल किसी मुकदमे का फैसला करे तो मुझे ज्यादा तसल्ली होती है, ज्यादा तशफ्फी होती है बजाय इस के कि कोई निचला महकमा करे क्योंकि आम तौर पर निचले महकमे के मुताल्लिक बहुत सी शिकायतें आती हैं।

एक चीज उन की और थी वह यह थी कि पहले कस्टोडियन को यह अख्तियार था

कि अगर कोई चीज जायदउलमियाद (की अवधि निकल जाती थी) हो जाती थी तो वह उन को इजाजत दे देता कि जो अपील की लिमिटेशन (परिसीमन) है उस के बाहर जा कर नये सिरे से मुकदमा चलाया जाय। एक केस की लिमिटेशन ६० दिन हो सकती है, छः महीने हो सकती है एक साल हो सकती है और दो साल हो सकती है। तो अगर दो-दो और तीन-तीन बरस के बाद ये चीजें फिर नये सिरे से शुरू होती हैं तो जिस दरवाजे को मैं बन्द करना चाहता था वह दरवाजा तो हमेशा के लिये खुला ही रहेगा।

शर्मा साहब पूछते हैं कि तुम अपनी मिनिस्टरी का कब काम खत्म करोगे। मैं उस दिन अपनी मिनिस्टरी का काम खत्म करूंगा जब आप को अपने साथ कैरी कर लूंगा और जो चीजें मैं हाउस के सामने लाऊंगा उन को आप इस नजरिये से देखेंगे कि मैं सच्चे दिल से जिन शरणार्थियों की खिदमत करना चाहता हूं या मैं सच्चे दिल से चाहता हूं कि किसी हिन्दुस्तान के नेशनल का जिस का कि हमारी मिनिस्टरी से ताल्लुक है, कोई नुकसान न हो। तो यह चीज हो रही है दफा ५ के नीचे हम ने क्या किया है। मैं ने यह पावर जो है वह दे दी है कस्टोडियन जनरल को। जनाब, आप पुराने वकील हैं और पैप्सू में जज भी रहे हैं। आप यह सुन कर हैरान होंगे कि जहां सुपरिटेंडेंस (अधीक्षण) का ताल्लुक है, एडमिनिस्ट्रेशन (प्रवर्तन) के लिहाज से वहां हमारे कस्टोडियन साहिबान ज्यूडिशल केसिस को रिओपन करते रहे हैं। मैं कानून नहीं जानता। ठाकुर दास जी नें इस के बारे में एक दफा कहा था। ठीक है, मैं कानून को नहीं जानता हूं और इसे आप चाहे खुशकिस्मती कहिये चाहे बदकिस्मती कहिये, लेकिन मैं जानता नहीं हूं। लेकिन इस चीज से मुझे तकलीफ होती है। मैं एक बात कहना चाहता हूं। आज आप ने देख लिया है कि हमारी वजीरे-आजम (प्रधान मंत्री) ने एक बड़ा भारी उसूल एक बड़ी भारी मिसाल कायम कर दी है। आप ने कहा कि एक मोहतरिम (माननीय) दोस्त का, जिस के लिये हमारे दिलों में बहुत कद्र है, जिन्हों ने बहुत ही अच्छा काम किया है, इस्तीफा मंजूर कर लिया है और यह कि वह प्रेजिडेंट साहब से भी कहेंगे कि वे उन का इस्तीफा मंजूर कर लें। तो जब आप यह जिम्मेवारी किसी अपने एक वजीर को देते हैं और आप यह चाहते हैं कि वह इंहाफन इस जिम्मेवारी को निभाये तो अगर उस जिम्मेवारी के साथ लीगल पावर (वैधिक शक्ति) नहीं होगी, मैं कुछ नहीं कर सकता।

जहां तक मुसलमान भाइयों का ताल्लुक है मैं काश्मी साहब को बतलाना चाहता हूं कि हम ने उन के लिये अब यह कर दिया है कि बजाय इस से कि वह जो कंडोनेशन की पावर थी उस को कस्टोडियन या असिस्टेंट कस्टोडियन को दें, उसे कस्टोडियन जनरल को दे दिया है। जहां कस्टोडियन जनरल साहब समझें कि इन्साफ नहीं हुआ है या थोड़ी सी गैर-इंसाफी की बू आती है तो वहां वह इजाजत दे सकते हैं या कि उस को कंडोन कर दिया जाय और नये सिरे से केस चल पड़े।

तो साहिबे सदर (उपाध्यक्ष महोदय) मैं ने अपने बुजुर्ग भाई ठाकुर दास जी की तकरीर को गौर से सुना और उसको सुनने के बाद मैं इस नतीजे पर पहुंचा हूं कि जो चीज वह कह रहे हैं उस के बारे में हमारा उन के साथ उसूली इखतलाफ (सैद्धान्तिक मतभेद) है और यह मेरी बदकिस्मती है कि वह हमारी मिनिस्टरी का जो नजरिया (दृष्टिकोण) है उस को समझ नहीं सके हैं।

तो जो मैं कहना चाहता था उस को मैं ने आप के सामने रख दिया है। जो हमारा इरादा है उस के बारे में भी जो मुझे कहना

[श्री मेहर चन्द खन्ना]

था वह मैं ने कह दिया है। दो चार दिन की बात उन्हों ने कही। मैं भी मानता हूं कि इस से कोई फर्क नहीं पड़ता है। लेकिन मेरे खयाल में इस बिल को सिलेक्ट कमिटी में भेजने से कोई फायदा नहीं है। इसलिये मैं अपना मोशन (प्रस्ताव) हाउस के सामने रखता हूं और पंडित ठाकुर दास जी की जो तहरीक (प्रस्ताव) है कि इस को सिलैक्ट कमिटी के सुपुर्द कर दिया जाय, मुझे बड़े अफसोस के साथ उस की मुखालिफत (विरोध) करनी पड़ती है।

Mr. Deputy-Speaker: I shall now put the amendment to the House.

Shri V. G. Deshpande: On a point of order, Sir. There is no quorum.

17-08 HRS.

Mr. Deputy-Speaker: The bell is being rung. Now there is quorum.

The question is:

"That the Bill be referred to a Select Committee consisting of Lala Achint Ram, Shri C. P. Gidwani, Shri N. C. Chatterjee, Shri Mehr Chand Khanna, Shrimati Renu Chakravartty, Shri U. M. Trivedi, Babu Ramnarayan Singh, Shri D. C. Sharma, Sardar Iqbal Singh, Shri Basanta Kumar Das, Dr. Ram Subhag Singh, Shri M. L. Agrawal, Shri Hem Raj, Sardar T. S. Akarpuri, Shri B. P. Jhunjhunwala, Shri Ranjit Singh, Shri N. C. Kasliwal, Shri Krishnacharya Joshi, Shri J. K. Bhonsle, Shri Bahadur Singh, and the Mover with instructions to report by the 1st December, 1956."

The motion was negatived.

Mr. Deputy-Speaker: Now, I shall put the motion to the vote of the House.

The question is:

"That the Bill further to amend the Administration of Evacuee Property Act, 1950, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: Is the House agreeable to take up the clause by clause consideration now?

Some Hon. Members: Tomorrow.

Mr. Deputy-Speaker: We can continue tomorrow. The House stands adjourned to 11 O'clock tomorrow.

17-11 HRS.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, the 27th November, 1956.

COLUMNS

MOTION FOR ADJOURNMENT . . . . . 997—1000

The Minister of Railways and Transport (Shri Lal Bahadur Shastri) made a statement regarding the adjournment motion given notice of by Shri Vallatharas *re* Madras-Tuticorin train disaster.

The Prime Minister (Shri Jawaharlal Nehru) also made a statement expressing greif of the Government of India over the tragedy and informed Lok Sabha that Shri Lal Bahadur Shastri had tendered his resignation from the Office of Minister and that he proposed to advise the President to accept the resignation.

The Speaker withheld his consent to the moving of the Adjournment Motion and said that a discussion on the subject would be held shortly . . . . . .

Thereafter the members stood in silence for a minute as a mark of respect to those who died in the train disaster . . . . . .

PAPERS LAID ON THE TABLE 1000,1002, 1106

The following papers were laid on the Table.

(1) Statement of the work done by the Law Commission till 31st October, 1956.

(2) First Report of the Law Commission (Liability of State in Tort)

(3) Second Report of the Law Commission (Parliamentary Legislation relating to Sales Tax)

(4) Third Report of the Law Commission (Limitation Act, 1908)

(5) Fourth Report of the Law Commission (on the proposal that High Courts should sit in Benches at different places in a State)

(6) A copy of the Reorganised States (Scheduled Castes and Scheduled Tribes) (Determination of Population) Rules, 1956, published in the Ministry of Home Affairs Notification No. 18/18/56-pub. II-(B), dated the 23rd October, 1956.

(7) Statement explaining the circumstances which necessitated immediate legislation by the Road Transport Corporations (Amendment) Ordinance, 1956 (No. 8 of 1956).

(8) A copy of Rule 15 B of the Rules made under Administration of Evacuee Property Act, 1950, regarding classes of persons to whom certificate under section 16 of that Act may be granted.

MESSAGES FROM RAJYA SABHA 1001

Secretary reported the following two messages from Rajya Sabha.

(1) That at its sitting held on the 22nd November, 1956, Rajya Sabha had agreed without any amendment to the Union Territories (Laws) Amendment Bill, 1956, passed by Lok Sabha on the 15th November, 1956.

(2) That at its sitting held on the 22nd November, 1956, Rajya Sabha had agreed without any amendment to the Manipur (Village Authorities in Hill Areas) Bill, 1956, passed by Lok Sabha on the 14th November, 1956.

REPORT OF BUSINESS ADVISORY COMMITTEE ADOPTED 1001

Forty-third Report was adopted.

BILL PASSED . . . . . 1002—37

Further discussion on the motion to consider the Faridabad Development Corporation Bill was concluded. The motion was adopted. After the clause-by-clause consideration, the Bill was passed as amended.

COLUMNS

BILL UNDER CONSIDERATION . . . . . 1037—1114

The motion that the Administration of Evacuee Property (Amendment) Bill be taken into consideration was moved by the Minister of Rehabilitation (Shri Mehr Chand Khanna). After discussion the motion was adopted.

COLUMNS

AGENDA FOR TUESDAY, 27TH NOVEMBER, 1956—

Consideration and passing of the Administration of Evacuee Property (Amendment) Bill and the Displaced Person (Compensation and Rehabilitation) Amendment Bill. Discussion re Madras-Tuticorin train disastes.